



# Missouri Dealer and Business Operating Manual

*Revised: January 2022*

# Table of Contents

<b><u>Section 1: Contact Information</u></b>	.....	1-1
<b><u>Section 2: General Information</u></b>		
Certificate of License .....	.....	2-1
Access to Online Services .....	.....	2-1
Definitions .....	.....	2-2
<b><u>Section 3: Dealer License Requirements</u></b>		
Who Is Required to Be Licensed As a Dealer? .....	.....	3-1
How Do I Apply for a License? .....	.....	3-1
Completing the Online Application for a New Missouri Dealer License.....	.....	3-2
Organization Information .....	.....	3-2
Contact Information .....	.....	3-2
License Operations.....	.....	3-2
Administrative Fee.....	.....	3-3
Plate Inventory.....	.....	3-3
Fees .....	.....	3-4
Bond Policies.....	.....	3-4
Franchise Agreement or letter of Appointment .....	.....	3-4
Owner Information .....	.....	3-5
Background Check Information .....	.....	3-5
Signature .....	.....	3-6
Location Inspection.....	.....	3-6
Garage Policies .....	.....	3-8
Business Photo.....	.....	3-8
Certificate of Dealer Seminar Completion .....	.....	3-8
Affiliated Salvage Licenses.....	.....	3-9
Special Event Motor Vehicle Auction License.....	.....	3-9
Limitations and Requirements for Special Event Motor Vehicle Auctions.....	.....	3-9
<b><u>Section 4: Dealer License and Plate Fees</u></b>		
License Fees .....	.....	4-1
License Plate Fees .....	.....	4-2
Additional Dealer Plates.....	.....	4-3
Replacement Dealer Plate/Certificate of Number .....	.....	4-4
Driveaway Plates .....	.....	4-4
<b><u>Section 5: Use of Dealer License Plates</u></b>		
General Information .....	.....	5-1
Temporary Plates for New Applicants .....	.....	5-1
<b><u>Section 6: Dealer Sales and Reporting Requirements</u></b>		
Minimum Sales Required.....	.....	6-1
Monthly Sales Reporting .....	.....	6-2
E-Filing Dealer Reports or Completing a Notice of Sale .....	.....	6-2

Paper Filing of Dealer's Monthly Sales Report .....	6-3
Monthly Reporting – Things to Remember .....	6-4
Penalty for False Statement or Omissions of Facts on Sales Reports.....	6-5

## **Section 7: Dealer Advertising Practices**..... 7-1

### **Section 8: Dealer Off-Premises and Sunday Sales**

Off-Premises Show .....	8-1
Off-Premises Restrictions .....	8-1
Off-Premises Displays .....	8-2
Off-Premises Sale of Vehicle Used, Titled, and Registered by Dealership .....	8-2
RV Shows – Requirements for Out-of-State Participants.....	8-3
Sunday Sales.....	8-3

## **Section 9: Dealer Financial Responsibility**

Requirements to Maintain Financial Responsibility.....	9-1
Penalties for Failure to Maintain Financial Responsibility .....	9-1

## **Section 10: Salvage Business License Requirements**

Who Is Required to Be Licensed As a Salvage Business? .....	10-1
How Do I Apply for a License?.....	10-1
Completing the Online Application for a New or Renewal	
Missouri Salvage Business .....	10-1
Organization Information .....	10-1
Contact Information .....	10-2
Physical Address .....	10-2
Fees .....	10-2
License Operations.....	10-2
Current and Past Salvage History .....	10-3
Owner Information .....	10-3
Background Check Information .....	10-3
Signature .....	10-4
Location Inspection.....	10-4
Business Photo.....	10-4
Taxes on Parts.....	10-4
Salvage Pools and Disposal Sales .....	10-4
Responsibilities of a Body Shop.....	10-5
Responsibilities of a Scrap Metal Operator.....	10-5

## **Section 11: Changes Involving the Dealership or Salvage Business**

Dealership.....	11-1
Change in Dealership Location.....	11-1
Change in Dealership Name.....	11-1
Partial Change in Dealership Owners.....	11-1
Complete Change in Dealership Owners .....	11-2
Dealership Buy-Out .....	11-2
Terminating, Selling, or Abandoning the Dealership.....	11-2
Death or Incapacitation of an Owner .....	11-2

Salvage Business .....	11-2
Change in Business Location .....	11-2
Change in Business Name .....	11-3
Partial Change in Business Owners .....	11-3
Termination of a Salvage Business .....	11-3
Death or Incapacitation of an Owner .....	11-3

## **Section 12: Dealer and Salvage Business Record Keeping Requirements**

Dealers .....	12-1
Record Keeping Requirements.....	12-1
Maintaining Records Digitally .....	12-1
Temporary Permit Records.....	12-2
Business Records.....	12-2
Inspection of Records.....	12-2
Salvage Business .....	12-3
Record Keeping Requirements.....	12-3
Inspection of Records.....	12-4

## **Section 13: Proof of Ownership for Dealers**

General Information .....	13-1
Selling New Motor Vehicles .....	13-1
Requirements .....	13-1
Restrictions.....	13-1
Transferring Ownership of a Motor Vehicle.....	13-2
Buying and Selling a Vehicle Without Title.....	13-2
Rescinded Sales .....	13-5
Duplicate Manufacturer's Statement of Origin (MSO) .....	13-6
Reassignment of Ownership by a Registered Dealer (RIDERS) .....	13-6
Consignment Sales.....	13-7
Information for Auctions and Dealers Selling at Auctions .....	13-7
Auctions – Records Required .....	13-7

## **Section 14: Lease Rental License Requirements**

Who is Required to Be Licensed As a Lease Rental Company? .....	14-1
How Do I Apply for a License? .....	14-1
Completing the Online Application for Permit to Operate as a Motor Vehicle/Marinecraft Leasing Company .....	14-1
Organization Information .....	14-1
Contact Information .....	14-2
License Operations.....	14-2
Affiliated Licenses.....	14-2
Physical Address .....	14-2
Mailing Address .....	14-2
Bond or ILC .....	14-2
Branches .....	14-2
Owner Information .....	14-2
Corporate Structure .....	14-2
Signature .....	14-3

Fees .....	14-3
Additional Lease and Rental Fleet Plates .....	14-3
Cancellation or Denial of a Lease Rental License .....	14-4
Termination of a Lease Rental Company.....	14-4
Dealers Licensed as a Lease Rental Company .....	14-4

#### **Section 15: Title Service Business License Requirements**

Who is Required to Be Licensed as a Title Service? .....	15-1
How Do I Apply for a License?.....	15-1
Organization Information.....	15-1
Contact Information.....	15-1
Physical Address .....	15-2
Mailing Address .....	15-2
Bond or ILC.....	15-2
Owner Information .....	15-2
Background Check Information.....	15-2
Fees.....	15-3
Record Keeping Requirements.....	15-3
Disciplinary Action.....	15-3

#### **Section 16: Transportation Network Company (TNC)**

Who is Required to Be Licensed as a TNC?.....	16-1
How do I Apply for a License? .....	16-1
How do I Renew my License? .....	16-1
How to Report a Driver .....	16-1
Violation(s)/Assessment(s) .....	16-1
Consumer Complaints .....	16-2
Definitions .....	16-2

#### **Section 17: Driveaway Company License Plates**

Who is Allowed Driveaway Plates?.....	17-1
Examples of Businesses Issued Driveaway License Plates .....	17-1
Required Documents .....	17-1
Fees.....	17-1
Use of Plates .....	17-1

#### **Section 18: Repossessed Placards** ..... 18-1

#### **Section 19: Dealer Educational Seminar Provider**

Who is Required to be a Licensed Dealer Educational Seminar Provider? .....	19-1
How do I Apply for a License? .....	19-1
Disciplinary Action.....	19-2
Refusal to Issue or Renew License .....	19-2

#### **Section 20: Complaints/Disciplinary Action**

Dealers .....	20-1
Complaints.....	20-1
Disciplinary Action .....	20-1

Department Subpoenas.....	20-4
Criminal Provisions.....	20-4
Salvage Business .....	20-4
Disciplinary Action .....	20-4

### **Section 21: Miscellaneous Information**

Temporary Permits .....	21-1
General Permit Information .....	21-1
Obtaining Temporary Permits.....	21-1
Requirements for Issuing a 30-Day Permit.....	21-1
Requirements for Issuing a 60-Day Permit.....	21-1
Responsibility of the Dealer .....	21-2
Responsibility of the Buyer .....	21-2
Federal Trade Commission Used Car Rule .....	21-3
Lemon Law Refunds .....	21-3
Sales to Minors .....	21-3
Odometer Repair or Replacement .....	21-3

### **Section 22: Code of State Regulations**..... 22-1

### **Exhibits**

## CONTACT INFORMATION

**Titling/Registration:** Motor Vehicle Bureau  
PO Box 100  
Jefferson City, MO 65105-0100  
General Information: 573-526-3669  
Salvage Information: 573-526-3669  
Dealer Title/Verification: 573-526-3669

**Dealer Registration:** Motor Vehicle Bureau  
Dealer Licensing Section  
PO Box 43  
Jefferson City, MO 65105-0043  
Dealer Registration: 573-526-3669, option 7  
Salvage Business: 573-526-3669, option 7  
Email: [dealerlic@dor.mo.gov](mailto:dealerlic@dor.mo.gov)

**Supply Requests:** Motor Vehicle Bureau  
Attention: Supply Request  
PO Box 100  
Jefferson City, MO 65105-0100  
Phone: 573-526-3669, option 7  
Email: [dealerlic@dor.mo.gov](mailto:dealerlic@dor.mo.gov)  
Online: <http://www.dor.mo.gov/mvdl/motory/forms/>

**Buyers Guide form  
("As Is" sticker):** [Federal Trade Commission \(FTC\)](#)  
6<sup>th</sup> and Pennsylvania Ave, North West  
Washington, DC 20580  
Phone: 877-382-4357

[Missouri Automobile Dealers Association \(MADA\)](#)  
3322 American Avenue  
PO Box 1309  
Jefferson City, MO 65109  
Phone: 573-634-3011  
Email: [contactus@mada.com](mailto:contactus@mada.com)

[Missouri Independent Automobile Dealers Association \(MIADA\)](#)  
PO Box 481  
Blue Springs, MO 64013  
MIADA Phone: 800-889-1073  
Email: [contact@moiada.com](mailto:contact@moiada.com)

## GENERAL INFORMATION

### **CERTIFICATE OF LICENSE**

The Department of Revenue issues a certificate of license to all dealers and businesses upon approval of their application for registration. Dealer and salvage business licenses must be prominently displayed in the business office at all times. If you have not received your Certificate of License or the certificate is incorrect, contact the Department of Revenue, Dealer Licensing Section, at 573-526-3669, option 7 or log into your MyDMV account to reprint the license.

A **separate** license and fee is required for each of the following categories of licenses at **each location** where a licensee auctions, manufactures, sells, or displays motor vehicles, trailers, or boats:

- Motor vehicle dealers;
- Boat dealers (a motor vehicle dealer or trailer dealer may purchase and sell up to six boats or vessels during each licensure period without licensing as a boat dealer);
- Powersport dealer;
- Wholesale motor vehicle dealers;
- Trailer dealers;
- Recreational vehicle dealers;
- Motor vehicle, trailer, and boat manufacturers;
- Wholesale motor vehicle auctions;
- Public motor vehicle auctions;
- Lease Rental company;
- Salvage dealer or dismantler;
- Body shop;
- Scrap processor; and
- Used parts dealer.

### **Storage Lot(s)**

A dealer may store vehicles at a storage lot location other than at the licensed business location, provided the Department is notified of the storage location, in writing, and no sales activity occurs on the storage lot.

### **ACCESS TO ONLINE SERVICES**

By accessing <http://dor.mo.gov/motorv/liendeal/>, lienholders and dealers who have contracted with lienholders may file a notice of lien online by using the Department's online Notice of Lien Application. The fee is \$2.50.

Notice of Liens may only be filed online if the lien is a primary (first lien). If you are intending to file a Notice of Lien on a unit where you are a secondary lienholder, you CANNOT file the notice of lien online; you MUST file the notice of lien on paper with the following documentation:

<b>NO CHANGE OF OWNERSHIP</b>	<ul style="list-style-type: none"> <li>• Application; <ul style="list-style-type: none"> <li>◦ Vehicle – <i>Application for Missouri Title and License</i> (<a href="#">Form 108</a>) with “<b>Title and Notice of Lien</b>” box checked; or</li> <li>◦ Vessel/OBM – <i>Application for Missouri Boat/Vessel or Outboard Motor and Registration</i> (<a href="#">Form 93</a>) with “<b>Title and Notice of Lien</b>” box checked.</li> </ul> </li> <li>• Certificate of title; and</li> <li>• <i>Notice of Lien, Lien Release, Or Authorization to Add/Remove Name From Title</i> (<a href="#">Form 4809</a>); <ul style="list-style-type: none"> <li>◦ Lien authorization or release of the existing lien is not required if the lienholder is only updating a lien (same owners and same lienholder).</li> <li>◦ A second lienholder must submit authorization from the primary lienholder authorizing the second lien.</li> </ul> </li> <li>• \$20.50 (\$8.50 title fee, \$6 processing fee, and \$6 NOL processing fee.)</li> </ul>
<b>CHANGE OF OWNERSHIP</b>	<ul style="list-style-type: none"> <li>• <i>Notice of Lien, Lien Release, Or Authorization to Add/Remove Name From Title</i> (<a href="#">Form 4809</a>); and</li> <li>• \$6 NOL processing fee.</li> </ul>

Dealers and lienholders may apply for a security access code which authorizes access, under the Driver's Privacy Protection Act (DPPA), to the Department's motor vehicle and marine title and lien records using the online system. The online record search will check the Department's title, lien, notice of sale, and reject files, and provide the most recent record(s) in each file. The base fee is \$0.0382 per record. If there is no record on file with the Department the \$0.0382 is waived.

To apply for an online account number and security access code, go to <http://dor.mo.gov/motorv/liendeal/>.

## **DEFINITIONS**

**Antique Motor Vehicle:** Any motor vehicle at least 25 years of age.

**Boat Dealer:** Any person, partnership, or corporation who, for a commission or with an intent to make a profit or gain of money or other thing of value, sells, barter, exchanges, leases or rents with the option to purchase, offers, attempts to sell, or negotiates the sale of any vessel or vessel trailer, whether or not the vessel or vessel trailer is owned by such person. Any person, partnership, or corporation who sells six or more boats, vessels or vessel trailers (or combination of either) in any calendar year. If dealer is both a boat dealer and a licensed boat manufacturer, refer to [Section 301.559](#), RSMo for sales requirements.

**Boat Manufacturer:** Any person engaged in the manufacturing, assembling, or modification of new vessels or vessel trailers as a regular business, including a person, partnership, or corporation which acts for and is under the control of a manufacturer or assembly in connection with the distribution of boats, vessels or vessel trailers. A manufacturer can only sell to dealers. If dealer is both a boat dealer and a licensed boat manufacturer, refer to [Section 301.559](#), RSMo for sales requirements.

**Body Shop:** A business that repairs physical damage on motor vehicles that are not owned by the shop or its officers or employees by mending, straightening, replacing body parts, or painting.

**Classic Motor Vehicle:** A dealer of motor vehicles at least five years of age, which were produced in limited numbers or otherwise have special value unrelated to basic transportation, excluding recreational motor vehicles (RVs), historic motor vehicles, motorcycles, motor-tricycles, and all-terrain vehicles (ATVs).

**Dealer Educational Seminar Provider:** A recognized business or school with a lawful presence in the state of Missouri who is licensed with the Department of Revenue to provide professional education, including consumer protection laws, to motor vehicle dealers.

**Driveaway Operation:**

- The movement of a motor vehicle or trailer by any person or motor carrier other than a dealer over any public highway, under its own power singly, or in a fixed combination of two or more vehicles, for the purpose of delivery for sale or for delivery either before or after sale;
- The movement of any vehicle or vehicles, not owned by the transporter, constituting the commodity being transported, by a person engaged in the business of furnishing drivers and operators for the purpose of transporting vehicles in transit from one place to another by the driveaway or towaway methods; or
- The movement of a motor vehicle by any person who is lawfully engaged in the business of transporting or delivering vehicles that are not the person's own and vehicles of a type otherwise required to be registered, by the driveaway or towaway methods, from a point of manufacture, assembly or distribution or from the owner of the vehicles to a dealer or sales agent of a manufacturer or to any consignee designated by the shipper or consignor.

**Emergency Vehicle:** Motor vehicles used as ambulances, law enforcement vehicles, and fire fighting vehicles and assistance vehicles.

**Franchisor:** A person who grants a franchise to another person and complies with the franchisor's licensing requirement of the Motor Vehicle Franchise Practices (MVFP) Act.

**Franchised New Motor Vehicle Dealer:** Any motor vehicle dealer who has been franchised to deal a certain make of motor vehicle by the manufacturer or distributor of that make and motor vehicle and who may, in line with conducting his business as a franchise dealer, sell, barter, or exchange used motor vehicles.

**Lease and Rental Company:** Any person, company, or corporation engaged in the business of renting or leasing motor vehicles, trailers, boats, or outboard motors used exclusively for rental or lease purposes and not for resale.

**Manufacturer:** Any person engaged in the manufacturing, assembling, or modification of new motor vehicles or trailers as a regular business, including a person, partnership, or corporation which acts for and is under the control of a manufacturer or assembly in connection with the distribution of motor vehicles or accessories for motor vehicles. Manufacturers can only sell to dealers. If you are a manufacturer and sell other vehicles in addition to what is manufactured, or sell more than eight new motor vehicles, five boats that you manufacture on a retail basis you must obtain a license as a "Manufacturer" and a "Motor Vehicle Dealer". A "Manufacturer" alone is authorized to sell only the new vehicles or boats it manufactures. If you are a manufacturer and sell to the public, you are required to be licensed as a dealer. If you install "special bodies" (e.g., dump, hoist, lime spreaders), on an incomplete chassis, you must register as a manufacturer. You can obtain information for issuing Vehicle Identification Numbers (VIN) for units manufactured by contacting the National Highway Traffic Safety Administration (NHTSA) at:

US DOT/NHTSA  
NSA-32, Room 6111  
1200 New Jersey Ave  
SE West Building  
Washington, DC 20590  
Phone: 202-366-5210 or 888-327-4236  
Online: <http://www.nhtsa.dot.gov/cars/rules/maninfo/> or  
<http://www.nhtsa.dot.gov/cars/rules/manufacture/>

**Mobility Motor Vehicle Dealer:** Any person who is licensed as a new or used motor vehicle dealer under this chapter who is engaged in the business of buying, selling, or exchanging mobility motor vehicle and servicing or repairing mobility motor vehicles at an established and permanent place of business.

**Motor Vehicle Broker:** A dealer license is not needed for a person who holds himself or herself out through solicitation or advertisement as an individual who offers to arrange a transaction involving the retail sale of a motor vehicle, and who is not:

- A dealer, agent, or employee of a dealer acting on behalf of a dealer;
- A manufacturer, agent, or employee of a manufacturer acting on behalf of a manufacturer;
- The owner of a vehicle involved in the transaction; and
- A public motor vehicle auction or wholesale motor vehicle auction where buyers are licensed dealers.

**Motor Vehicle Dealer:** Any person who, for commission or with an intent to make a profit or gain of money or other thing of value, sells, barters, exchanges, leases, or rents with the option to purchase, or who offers or attempts to sell or negotiates the sale of motor vehicles or trailers whether or not the motor vehicles or trailers are owned by such person; provided, however, an individual auctioneer or auction conducted by an auctioneer licensed under [Chapter 343](#), RSMo, shall not be included within the definition of a motor vehicle dealer. The sale of eight or more motor vehicles or trailers in any calendar year are required as evidence that such person is engaged in the motor vehicle business and is eligible for licensure as a motor vehicle dealer under Sections [301.550 to 301.573](#), RSMo.

***Motor vehicle dealers may sell five or fewer vessels each year without being required to be licensed as a boat dealer.***

**Powersport Dealer:** Any motor vehicle dealer who sells, either pursuant to a franchise agreement or otherwise, primarily motor vehicles including, but not limited to, motorcycles, autocycles, all-terrain vehicles, and personal watercraft, as those terms are defined in [Chapter 306](#), RSMo.

**Public Garage:** A place of business where motor vehicles are housed, stored, repaired, reconstructed or repainted for persons other than the owners or operators of such place of business.

**Public Motor Vehicle Auction:** Any person, firm, or corporation who takes possession of a motor vehicle whether by consignment, bailment, or any other arrangement, except by title, for the purpose of selling motor vehicles at a public auction by a licensed auctioneer.

**Rebuilder:** A business that rebuilds or repairs four or more motor vehicles in a calendar year that are owned by the rebuilder, but does not include common or contract carriers of persons or property.

**Recreational Motor Vehicle (RV) Dealer:** A dealer of new or used motor vehicles designed, constructed or substantially modified for use as temporary housing quarters, including sleeping and eating facilities which are either permanently attached to a motor vehicle or attached to a unit which is securely attached to a motor vehicle.

- RV dealers are motor vehicle dealers and subject to motor vehicle dealer requirements, but are issued RV plates.

**Repossession Business:** Any business that repossesses motor vehicles or trailers and sells or otherwise disposes of them shall be issued a placard displaying the word "Repossessed", provided such business pays the license fees presently required of a manufacturer, distributor, or dealer in [Section 301.560, RSMo](#).

**Salvage Dealer or Dismantler:** A business that dismantles used motor vehicles for the sale of the parts thereof, and buys and sells used motor vehicle parts and accessories.

**Scrap Processor:** A business that, through the use of fixed or mobile equipment, flattens, crushes, or otherwise accepts motor vehicles and vehicle parts for processing or transportation to a shredder or scrap metal operator for recycling.

**Special Event Motor Vehicle Auction:** An auction in which:

- Ninety percent of the vehicles being auctioned are at least ten years old or older;
- No more than three percent of the total vehicles being auctioned are owned and titled in the name of the licensed auction or its owners; and
- The duration of the auction is no more than three consecutive calendar days and is held no more than three times in a calendar year by a licensee.

**Storage Lot:** An area within the same city or county where a dealer may store excess vehicle inventory.

**Title Service Agent:** Is any person who acts as an agent for a fee in obtaining a certificate of ownership of a motor vehicle.

**Trailer:** Any vehicle without motive power designed for carrying property or passengers on its own structure and for being drawn by a self-propelled vehicle, except those running exclusively on tracks, including a semi-trailer or vehicle of the trailer type so designed and used in conjunction with a self-propelled vehicle that a considerable part of its own weight rests upon and is carried by the towing vehicle.

**Trailer Dealer:** Any person selling, either exclusively or otherwise, trailers as defined above. A trailer dealer may acquire a motor vehicle for resale only as a trade-in for a trailer. Trailer dealers may purchase one driveaway license plate to display such motor vehicle for demonstration purposes. The sale of six or more trailers in any calendar year is required as evidence that such person is engaged in the trailer business and is eligible for licensure as a trailer dealer. A trailer dealer:

- Sells only trailers;
- Is not required to obtain a motor vehicle dealer license for the purpose of selling a motor vehicle acquired as trade-in (regardless of the number);
- Requesting to sell motor vehicles acquired by any means other than trade-in is required to obtain a motor vehicle dealer license when selling eight or more motor vehicles per license year; and

- Must obtain a boat dealer license if selling six or more boats acquired as trade-in.

See [Section 4](#) for fees.

**Transportation Network Company (TNC):** a corporation, partnership, sole proprietorship, or other entity that is licensed pursuant to [Sections 387.400 to 387.440](#) and operating in the state of Missouri that uses a digital network to connect TNC riders to TNC drivers who provide prearranged rides. A TNC shall not be deemed to own, control, direct, operate, or manage the TNC vehicles or TNC drivers that connect to its digital network, except where agreed to by written contract.

**Used Motor Vehicle Dealer:** Any motor vehicle dealer, as defined by [Section 301.550](#), RSMo, who is not a new motor vehicle franchised dealer.

**Used Parts Dealer:** A business that buys and sells used motor vehicle parts or accessories. This definition does not include businesses that sell only new, remanufactured, or rebuilt parts or those who make isolated sales of used parts at a swap meet lasting less than three days.

**Vessel:** Every boat and watercraft defined as a vessel in [Section 306.010](#), RSMo.

**Vessel Trailer:** Any trailer, which is designed and manufactured for the purposes of transporting boats or vessels.

**Wholesale Motor Vehicle Auction:** Any person, firm, or corporation in the business of providing auction services solely in wholesale transactions at its established place of business in which the purchasers are motor vehicle dealers licensed by this or any other jurisdiction, and which neither buys, sells, nor owns the motor vehicles it auctions in the ordinary course of its business. Except as required by law with regard to the auction sale of a government owned motor vehicle, a wholesale motor vehicle auction shall not provide auction services in connection with the retail sale of a motor vehicle.

**Wholesale Motor Vehicle Dealer:** A motor vehicle dealer who sells motor vehicles only to other new motor franchise dealers or used motor vehicle dealers or via auctions limited to other dealers of any class. A wholesale dealer **cannot make retail sales**.

## DEALER LICENSE REQUIREMENTS

### **WHO IS REQUIRED TO BE LICENSED AS A DEALER?**

You must be licensed as a Motor Vehicle dealer if you sell eight or more vehicles in a calendar year. You must be licensed as a Trailer, Powersport or Boat dealer if you sell six or more trailers, powersports, or boats in a calendar year, unless you are:

- A financial institution or selling repossessed motor vehicles;
- Disposing of vehicles used and titled solely in your ordinary course of business; or
- A collector of antique motor vehicles.

For the purposes of [Sections 301.550 to 301.573](#), RSMo, the sale, barter exchange, lease, or rental with option to purchase of six or more motor vehicles in a calendar year by any person, partnership, corporation, company, or association, whether or not the motor vehicles are owned by them, shall be *prima facie* evidence of intent to make a profit or gain of money and such person, partnership, corporation, company, or association shall be deemed to be acting as a motor vehicle dealer. Any person, partnership, corporation, company, or association who is in violation is guilty of a Class A misdemeanor.

### **HOW DO I APPLY FOR A LICENSE?**

All dealer licenses and license plates expire the 31<sup>st</sup> of December of the license expiration year. Missouri law provides for no "grace period." You must title and pay tax on all motor vehicles, trailers, or boats that you buy and sell during the time you are not a licensed Missouri dealer.

To apply for a license as a new Missouri dealer, manufacturer, or auction go to [MyDMV.mo.gov/mv](http://MyDMV.mo.gov/mv) and click on "Businesses".

Be prepared to upload the following documents:

- Photograph of the applicant's building, lot, and sign, (new applicants only);
- *Inspection and Certification for Dealer, Auction, or Manufacturer Business License (Form 5748)*
- Certificate of Dealer Educational Seminar Completion (used motor vehicle dealers only);
- Franchise Agreement or Letter of Appointment, if applicable;
- Corporate Surety Bond ([Exhibit A](#)) or Irrevocable Letter of Credit ([Exhibit B](#)) (does not apply to auctions or manufacturers);
- Garage liability policy (does not apply to trailer, auction, or manufacturers);
- Mail-to letter signed by the post office, if your mailing address is different than your physical address;
- Appropriate fees; and
- A completed criminal record, which the dealer obtains from the Missouri State Highway Patrol or the agency responsible for criminal records in the dealer's state of residency.
- The above requirements are further explained in the pages that follow.

You may also submit the above requirements, along with an *Application for Dealer, Auction, or Manufacturer License and Number Plate(s)* ([Form 4682](#)), to the address listed on Form 4682.

## **COMPLETING THE ONLINE APPLICATION FOR A NEW OR RENEWAL MISSOURI DEALER LICENSE**

**All incorrect or incomplete applications will be rejected. If you are renewing, please verify the following information is still accurate.**

### **ORGANIZATION INFORMATION**

- Business name - List the name(s) to be used by the business (e.g., John Doe Enterprises, Inc., DBA John Doe Auto Sales). The DBA should be registered with the Secretary of State as a fictitious name. A corporate surety bond ([Exhibit A](#)) or irrevocable letter of credit ([Exhibit B](#)) must be in the same name listed on application. If your dealer license is approved and a title application is submitted under a name other than the licensed name, the title transaction will be rejected.
- Registration with Secretary of State - The license applicant must be properly registered with the Secretary of State as required by Missouri law. For more information, please contact the Secretary of State's Office by calling 573-751-3827 or at [sos.mo.gov](http://sos.mo.gov). A copy of this registration is not required to be submitted with your dealer application, except as noted in item 3 for signage.

### **PHYSICAL ADDRESS**

Enter complete business address. A mailing address may be added by clicking the blue plus sign (+) **only** if the United States Postal Service will not deliver mail to your business location address because of security reasons such as theft or vandalism. You must provide a copy of the letter from the postal authorities to confirm that mail cannot or will not be delivered to your business address with your application **before** a "Mail To" will be considered for approval. Lack of a proper mail receptacle is not justification for the use of a "Mail To" address.

### **REGULAR BUSINESS HOURS OF OPERATION**

A bona fide established place of business must be open at regular business hours when the owner or operator may be contacted by the public at the business address. "Regular" business hours are considered to be a minimum of 20 hours per week. You may satisfy these requirements by being open at least four days (Monday through Saturday) each week. Only hours between 6 a.m. and 10 p.m. will be considered by the Department in determining whether a place of business is open the minimum 20 hours per week. You must post the business hours at the business location and must have the records accessible for inspection during the posted times.

Sunday sales are prohibited unless conducting an off-premises show or sale or as otherwise described in [Section 8](#).

### **CONTACT INFORMATION**

- Business telephone number and email address - Provide your business telephone number and email address. Also include a contact person and their telephone number.

### **LICENSE OPERATIONS**

- Operation Type - Refer to definitions in [Section 2](#) to determine the appropriate type of business operations. A new application is required for each type of operation.

- Public or Wholesale Auctions: When registering as an auction, check “Public Motor Vehicle Auction” or “Wholesale Motor Vehicle Auction” in Section 4. Auction records must be kept separate from dealership records, and you must maintain a display area or lot separate from the dealership lot for auction vehicles.
- Manufacturers: When requesting a manufacturer’s license, you must submit a letter that lists the makes of all motor vehicles, trailers, or boats that you manufacture. If you are a “final state” manufacturer or **converter**, you must list the makes of the vehicle bodies (e.g., dump, hoist, coach) that you manufacture, and provide a brief description of operation. A separate sheet of paper may be used if necessary. Indicate if you are the manufacturer of the vehicle bodies, or if you perform the conversion work. Also, indicate if you sell directly to the general public, or if you sell units to another dealer for resale to the general public. If so, you must apply for the appropriate dealer license.
- Unit Type – If your application indicates that you will be selling new or used power sports, and other types of units (motor vehicle, cycles and/or trailers), the dealer licensing section will assign one dealer license number for selling and/or demonstrating all unit types specified.

## ADMINISTRATIVE FEE

- Each motor vehicle, boat, and powersport dealer must declare if an administrative fee is charged and, if so, must declare how much is charged and must provide banking information.
- Beginning Feb. 15, 2022, an electronic notification will be generated and sent to each motor vehicle, boat, and/or powersport licensee charging administrative fees based upon the total number of sales reported in the previous month, as well as any additional sales amended to prior months, and based upon ten percent of each administrative fee charged by the licensee. The electronic notification will indicate the amount due and payable to the fund and the licensee must authorize the Department of Revenue to initiate an automated clearing house (ACH) transaction with the licensee’s financial institution to credit the amount due and payable to the fund.
- Reference [Section 301.558](#), RSMo, and [12 CSR 10-26.230 through 12 CSR 10-26.231](#).

## PLATE INVENTORY

- Plate quantity - Dealers may receive up to two plates initially and may request additional plates based on the following:
  - Dealers may purchase a third plate after 15 sales and one plate per every ten sales thereafter, except for RV dealers who may purchase two plates for every ten sales for the first 50 sales and then one plate for every additional ten sales over 50.
    - For new businesses, additional plates are based off the number of estimated sales; and
    - For renewing businesses, additional plates are based off the number of sales made between July 1 of the previous licensure year through June 30 of the current licensure year.
  - The maximum number of dealer plates you may purchase is based on the number of sales that you estimate you will make during your first licensure year and the above criteria for renewing dealers. Once you determine your sales estimate and the quantity of plates you want to purchase, enter the number of plates you want and the plate type (e.g., motor vehicle, motorcycle, boat).
  - Motor vehicle dealers who also have a salvage business license will be entitled to one additional plate for every 50 vehicles purchased from July 1 of previous year through June 30 of the current year. Dealers who request to purchase additional plates must supply a list of the salvage vehicles purchased reflecting the year, make, and VIN.
  - Manufacturers may purchase up to 350 plates.

- See the following chart for plate types and descriptions.

PLATE TYPE	DESCRIPTION
<b>Motor Vehicle, Manufacturer, and Recreational Dealer Plate</b>	<ul style="list-style-type: none"> <li>• Standard (6" X 12") license plates that may only be displayed on a motor vehicle, trailer, or motorcycle, motortricycle or autocycle <b>held for resale</b> by a motor vehicle dealer or manufacturer.</li> <li>• These plates may also be displayed on a boat or vessel held for resale by a dealer provided the dealer sells no more than five boats/vessels and vessel trailers per calendar year.</li> <li>• For use by any customer while the customer's vehicle is being serviced or repaired by the motor vehicle dealer</li> <li>• Plates with the "RV Dealer" logo allow the dealer to demonstrate only RVs, camper trailers, and any motor vehicle accepted as trade-in.</li> </ul>
<b>Cycle or Powersport Dealer Plate</b>	<ul style="list-style-type: none"> <li>• A motorcycle license plate (4" X 7") that may only be displayed on a motorcycle, motortricycle, autocycle, and personal watercraft, owned and being <b>held for resale</b> by a motor vehicle or powersport dealer, or manufacturer.</li> </ul>
<b>Trailer Dealer Plate</b>	<ul style="list-style-type: none"> <li>• Standard (6" X 12") license plates that may only be displayed on trailers.</li> <li>• A trailer dealer may purchase one driveway plate to demonstrate motor vehicles accepted as trade-in.</li> </ul>
<b>Boat Dealer Plate/ Certificate of Number</b>	<ul style="list-style-type: none"> <li>• A certificate of number (6" X 12") that may only be displayed on a boat, vessel, or vessel trailer being <b>held for resale</b> by a licensed boat dealer.</li> <li>• The certificate of number must be carried in or displayed on the boat during a demonstration on the water.</li> </ul>
<b>Boat Trailer Dealer Plates</b>	<ul style="list-style-type: none"> <li>• Standard (6" X 12") license plates that may only be displayed on a boat trailer being <b>held for resale</b> by a license boat dealer.</li> </ul>

**NOTE: Public and wholesale auctions are not eligible for dealer plates because they do not own the vehicles being sold.**

**NOTE: Dealer plates shall not be issued to franchisors.**

## FEES

If applying for licensure by completing [Form 4682](#), you must submit one check or money order for the license and plate fees. If you are applying using MyDMV, fees will be systematically calculated. See [Section 4](#) for detailed fee information.

## BOND POLICIES

- Corporate Surety Bond Requirement or Irrevocable Letter of Credit - Section [301.560\(3\)](#), RSMo, requires motor vehicle dealers, powersport dealers, boat dealers, emergency vehicle dealers and trailer dealers to submit either a corporate surety bond ([Exhibit A](#)) or an irrevocable letter of credit ([Exhibit B](#)) issued by any state or federal financial institution, in the penal sum of \$50,000, with their application for dealer registration. The bond or irrevocable letter of credit must be on a form approved by the dealer licensing section. The dealer must be bonded for the **entire** licensure year. Any bond that is submitted must be in effect through December 31 of the licensure year, or is a "non-expiring" bond. If the bond or letter of credit on file expires or is cancelled, a new bond or letter of credit must be submitted to the Department

**on or before** the date of expiration or cancellation. The bond or irrevocable letter of credit **does not** apply to auctions or manufacturers.

## **FRANCHISE AGREEMENT OR LETTER OF APPOINTMENT**

The document must include the name and address of the franchisee, effective date of the franchise agreement, expiration date (or show non-expiring), and make(s) of vehicle(s) the franchisee is authorized to sell. The document must state that the dealer licensing section will be notified in case of cancellation by either party. The document must provide notification to the Department at least 30 days prior to cancellation of the franchise ([Exhibit C](#)).

A “Manufacturer’s Certification of a Dealer” is acceptable for franchise authorization only if the corresponding franchise agreement is on file with the Dealer Licensing Section. **A manufacturer’s letter of intent will not suffice as proof of franchise.** A dealer wanting to sell new vehicles for which they do not have a franchise agreement must apply for a title in the dealership’s name.

Certificates of Origin for any given make of vehicle may only be assigned by dealers who are franchised to sell that make of motor vehicle. If you are requesting licensure as a manufacturer, you must issue franchise agreements to the dealers whom you authorize to sell those vehicle makes or vehicle bodies that you manufacture. You must supply a Manufacturer’s Certificate of Origin for each vehicle or vehicle body manufactured.

## **OWNER INFORMATION**

Enter complete owner information. When renewing online, click on the plus sign (+) in the right corner of the green banner to add additional owners, if applicable.

## **BACKGROUND CHECK INFORMATION**

A criminal record is required for each owner listed on the dealer license application and must have been issued within six months of the issuance or renewal of the dealer license. When renewing online, click the plus sign (+) to upload additional background check records.

When **renewing or obtaining your initial Missouri Dealer License**, you must obtain a criminal record utilizing the Missouri State Highway Patrol’s Missouri Automated Criminal History Site (MACHS). This site can be accessed at <https://www.machs.msdp.dps.mo.gov/MACHSFP/home.html> or via link on the Department of Revenue’s dealer website at <https://mydmv.mo.gov/businesslicensing/BusinessLicense/AppStatus>.

Upon registering with MACHS, you will be prompted to create a personal account. Following the submission of your record check request, the response will be returned directly to your MACHS account that you created. Your response may be returned almost instantaneously, however, some results may take several days depending on processing workloads. NOTE: A Dealer may set up one account and request multiple record checks under this one account.

To avoid a delay in obtaining a dealer license, it is very important that dealers begin this process as soon as possible in order to have the criminal record when sending in license renewal documentation or initial licensing documentation.

Be sure to check your MACHS account frequently as MACHS will only retain the criminal record results for 30 days. After 30 days, MACHS will archive the results and a new criminal record request must be submitted with additional payment.

Record check results should be retrieved from your account and provided with your renewal application.

Points to remember:

- A name-based criminal history record is required for each owner listed on the dealer license application and must have been issued within six months of the issuance or renewal of the dealer license.
- The web address for the MACHS system is:  
<https://www.machs.msdp.dps.mo.gov/MACHSFP/home.html>
- Choose the option “Click Here to Access the MACHS Name Search Portal to conduct a background check by Name, Date of Birth, or Social Security Number.”

If any of the owners, partners, or principal officers is a resident of a state other than Missouri, you must submit a current background check from the Highway Patrol or Background Investigation Bureau in the state in which they reside.

## SIGNATURE

An owner, partner, or corporate officer listed on the application must provide an electronic signature.

- By signing the application, the applicant certifies that the information is true and accurate and that the business has, and will maintain, during the entire period of registration, financial responsibility (liability insurance) with respect to each motor vehicle that is owned, licensed, or operated on the streets or highways. This includes motor vehicles held for resale.

For more information regarding financial responsibility, contact the Missouri Department of Revenue, Driver License Bureau, PO Box 200, Jefferson City, MO 65105-0200, or your insurance agent. You may call the Driver License Bureau at 573-751-4600.

## LOCATION INSPECTION

- Inspection and certification - An authorized law enforcement officer or designee must complete the *Inspection and Certification for Dealer, Auction, or Manufacturer Business License* ([Form 5748](#)) to certify that the applicant has a **bona fide established place of business** as set forth in [Section 301.560](#), RSMo.
  - Dealers selling **only** emergency vehicles are exempt from this requirement.
  - A motor vehicle dealer's business must be inspected by the Missouri State Highway Patrol or authorized designee prior to submitting the application to the dealer licensing section.
  - A boat dealer or boat manufacturer's business may be inspected by the Missouri State Highway Patrol.
  - If the business is located in a first class county (Boone, Buchanan, Camden, Callaway, Cape Girardeau, Cass, Clay, Cole, Franklin, Greene, Jackson, Jasper, Jefferson, Platte, St. Charles, St. Louis, St. Louis City, and Taney), authorized metropolitan police who are employed in the same city in which the business is located may complete the inspection.
  - Certification may not be completed by a sheriff or marshal.

Applicants who are licensed within **two months** of the license expiration date shall not be required to have the **renewal** application certified by a law enforcement agency or officer provided the renewal application is filed before the present license expires. Certification of Renewal applications for all

dealers, except franchise dealers and emergency vehicle dealers must be completed every year for the first three years and every other year thereafter.

The following is considered when determining the existence of a **bona fide established place of business** for motor vehicle manufacturers, new motor vehicle franchise dealers, used motor vehicle dealers, wholesale dealers, powersport dealers, boat dealers, boat manufacturers, trailer dealers, trailer manufacturers, and public and wholesale auctions. You must maintain a bona fide place of business for the entire registration period. The Director of Revenue retains the right to determine the existence of a bona fide place of business at any time.

- Permanently Enclosed Building - A bona fide established place of business must have a permanently enclosed building or structure either owned in free or leased and **actually occupied** and primarily used in whole, or in clearly designated and segregated part, as a place of business by the applicant for the selling, bartering, trading, servicing, or exchanging of motor vehicles, trailers, all-terrain vehicles, personal watercraft or boats, and where the public may contact the owner or operator at any reasonable time and where books, records, files, and other matters required and necessary to conduct business are kept. A working telephone number shall be maintained during the entire registration year, which will allow the public, the department, and law enforcement to contact the applicant during regular business hours.
  - If a travel trailer or a manufactured home is being used as the office, it must be anchored to the ground and the wheels removed.
  - If a dealer is also licensed as an auction, the auction records must be kept separately from the dealership records.

**Example:** An applicant for a motor vehicle dealer license maintains a building or structure primarily used in the operation of a business other than the sale or exchange of motor vehicles. As a sideline the applicant wants to engage in the business of selling motor vehicles. The building or structure used primarily for business other than the selling or exchanging of motor vehicles does not qualify as a bona fide established place of business for the selling of motor vehicles unless an area is clearly designated and records are separately maintained for the purpose of selling, bartering, trading, servicing, or exchanging motor vehicles, powersports, boats, or trailers.

- Display Area - A bona fide established place of business must contain an area or lot that is not a public street upon which multiple vehicles, boats, personal watercraft, or trailers may be displayed. The display area of the principal place of business and each branch location of the business must be of sufficient size to physically accommodate vehicles of the type which the business is licensed to sell. The display area must:
  - Be clearly for the exclusive use of the dealer, auction, or manufacturer for display purposes as to prevent confusion or uncertainty concerning its relationship to the business.
  - Provide unencumbered visibility from the nearest public street of the vehicles being sold by the dealer, auction, or motor vehicle manufacturer.

An auction must maintain a display area or lot separate from the dealer's lot for auction vehicles. An enclosed garage **does not** qualify as a proper display area.

A licensee in more than one class of business may use the same building and display area for all classes so long as each use is separately and clearly marked. Records must be maintained separately and separate signs as specified below must be displayed.

- Signage - The sign must:
  - Contain the name of the dealership by which it is known to the public through advertising or otherwise. The name on the sign is not required to be identical to the name appearing on the dealership's license, provided such name is registered as a fictitious name with the Secretary of State and has been approved by the dealer's line-make manufacturer, in writing, in the case of a new motor vehicle franchise dealer. **A copy of the fictitious name registration must accompany the application for dealer licensure in this case.**
  - Have letters **at least six inches in height** and be clearly visible to the public. The sign shall be of a permanent nature, erected on the exterior of the office or on the display area, and be constructed or painted and maintained so as to withstand reasonable climatic effects and be readable.
  - A banner is not acceptable as a permanent sign. A temporary sign or device may be used while you are obtaining a permanent sign or device, provided an order for construction, purchase, or painting has in fact been placed. **A copy of the sign work order and a picture of the temporary sign must be submitted with the application.**
  - If a franchise dealer purchases a currently licensed new motor vehicle franchise dealership, the dealer may submit a photo of the existing dealership sign until a new sign is acquired.
  - **A public motor vehicle auction** licensee shall display, in a conspicuous manner, two additional signs, each of which shall bear the following warning in letters **at least six inches high**: **"Attention Buyers: Vehicles sold at this auction may not have had a safety inspection."** The dimensions of each sign shall be **at least two feet by two feet**.

**NOTE: Bona fide established place of business of all applicants must be maintained for the entire licensure year. If the bona fide established place of business is not maintained, the licensee must notify the dealer licensing Section within 10 days and surrender, at that time, all temporary permits, license, and license plates or certificates of number. If the licensee intends to relocate prior to the expiration of the license, the Department must be informed of such intent at the time the license is surrendered. If the business is then certified at a new location, the Department will return the temporary permits, license plates, or certificates of number and issue a new license reflecting the new location for no additional fee. The Department or its representative reserves the right to determine the existence of a bona fide established place of business at any time.**

## GARAGE POLICIES

- Garage Liability Policy - Every applicant, as a new motor vehicle franchise dealer, manufacturer, a used motor vehicle dealer, a power sport dealer, a wholesale motor vehicle dealer, or boat dealer must furnish with the application a copy of a current dealer garage policy bearing the policy number, effective and expiration date, name and address of the insurer and the insured. Emergency vehicle dealers are required to provide policy prior to licensing. Trailer dealers are exempt.

## BUSINESS PHOTO

A current photograph, **not exceeding** eight inches by ten inches but no less than five inches by seven inches of the applicant's place of business must be submitted.

- The initial application for licensure must include a photograph which must show the business **building, lot, and sign**. If more than one photograph is necessary to show all three, a statement must be submitted that clearly explains that all photos were taken at the same

address. Digitized photos are acceptable.

A dealer who sells only emergency vehicles is exempt.

## **CERTIFICATE OF DEALER EDUCATIONAL SEMINAR COMPLETION**

All used motor vehicle dealers (excluding wholesale dealers, powersport, trailer, public auctions, franchise, boat, RV and dealer applicants who currently own a separately licensed dealership) applying for a motor vehicle dealer's license for the **first time**, must provide proof of attendance at a Dealer Educational Seminar approved by the Department. For more information regarding the dealer education seminars, see <http://dor.mo.gov/motorv/liendeal/seminar/>.

## **AFFILIATED SALVAGE LICENSES**

If registering as a Used Motor Vehicle and Used Powersport Dealer, make the appropriate selection. If yes, enter the requested information.

## **SPECIAL EVENT MOTOR VEHICLE AUCTION LICENSE**

Special event motor vehicle auction licenses are issued under [Section 301.580](#), RSMo.

A special event motor vehicle auction is an auction which:

- Ninety percent of the vehicles being auctioned are at least ten years old or older;
- No more than three percent of the total vehicles being auctioned are owned and titled in the name of the licensed auction or its owners; and
- The duration of the auction is no more than three consecutive calendar days and is held no more than three times in a calendar year by a licensee.

## **LIMITATIONS AND REQUIREMENTS FOR SPECIAL EVENT MOTOR VEHICLE AUCTIONS:**

- A completed *Special Event Motor Vehicle Auction Application* ([Form 5432](#))
  - The completed application must be received by the Department **90 days** prior to the event;
- \$1,000 license fee;
- The special event motor vehicle auction licensee must furnish the Department with a corporate surety bond or an irrevocable letter of credit in the amount of one hundred thousand dollars (\$100,000).
- A licensee may obtain only three special event motor vehicle auctions within a calendar year.
- The special event motor vehicle licensee is responsible for ensuring a required sales tax or special event tax license has been acquired.
- The special event motor vehicle auction licensee must be registered to conduct business in this state.
- No dealer, driveaway, auction or wholesale plates or temporary permits shall be issued to a special event motor vehicle auction licensee.
- The special event motor vehicle auction licensee shall provide the purchaser of a motor vehicle at such auction the current contact information including, but not limited to, name, address, and telephone number of the licensee.

The completed *Special Event Motor Vehicle Auction Application* ([Form 5432](#)), \$1,000 license fee, and the \$100,000 bond or irrevocable letter of credit must be mailed to:

Motor Vehicle Bureau  
Dealer Licensing Section  
PO Box 43  
Jefferson City, MO 65105-0043

Within 10 days of the conclusion of the special event motor vehicle auction, the licensee shall report of each vehicle included in the auction. The report shall include information indicating if the listed vehicles were sold at the auction or not sold at the auction. The license must provide the following details of each vehicle on the report:

- Make;
- Model;
- Year; and
- Vehicle identification number.

The completed report must be mailed to:

Motor Vehicle Bureau  
Dealer Licensing Section  
PO Box 43  
Jefferson City, MO 65105-0043

## DEALER LICENSE AND PLATE FEES

### LICENSE FEES

The following fees are payable to the Missouri Department of Revenue. Payment may be made by check or money order. A **separate** license fee is required each year.

- When applying for a license as a motor vehicle dealer **and** an auction, two separate applications must be submitted along with \$150 license fee for each application (total of \$300) plus \$50 license fee for auctions (Auctions do not receive plates).
- Licensure fee(s) (original and first two years of license):

FEE BASED ON A ONE YEAR LICENSE		
MONTH OF APPLICATION	MOTOR VEHICLE/ TRAILER/ POWERSPORT DEALER, MANUFACTURER OR AUCTION	BOAT DEALER OR MANUFACTURER
JANUARY	\$150	\$80
FEBRUARY	\$137.50	\$73.33
MARCH	\$125	\$66.67
APRIL	\$112.50	\$60
MAY	\$100	\$53.30
JUNE	\$87.50	\$46.67
JULY	\$75	\$40
AUGUST	\$62.50	\$33.33
SEPTEMBER	\$50	\$26.67
OCTOBER	\$37.50	\$20
NOVEMBER	\$25	\$13.33
DECEMBER	\$12.50	\$6.67

- Dealers that have been in business for three years will be issued a two-year license when they renew at the end of their third year.

FEE BASED ON A TWO YEAR LICENSE		
MONTH OF APPLICATION	MOTOR VEHICLE/ TRAILER/ POWERSPORT DEALER, MANUFACTURER OR AUCTION	BOAT DEALER OR MANUFACTURER
JANUARY	\$300	\$160
FEBRUARY	\$287.50	\$153.33
MARCH	\$275	\$146.67
APRIL	\$262.50	\$140
MAY	\$250	\$133.33
JUNE	\$237.50	\$126.67
JULY	\$225	\$120
AUGUST	\$212.50	\$113.33
SEPTEMBER	\$200	\$106.67
OCTOBER	\$187.50	\$100
NOVEMBER	\$175	\$93.33
DECEMBER	\$162.50	\$86.67

**Late Renewal Penalties** - Applications received:

- On or after November 3, but prior to December 31 = **\$25**; and
- After December 31 = **\$50**.

**Replacement License Certificate** - \$8.50;

**Dealer System Record Print** - \$8.50;

**Copy of Dealer Records/Sales Report** - \$3 per month (no fee if dealer is requesting own report).

Security access code is required if report is requested by someone other than the owner; and

**Copy of Dealer Application** (and supporting documents) **for one-year license** - \$1.50 per license year.

## **LICENSE PLATE FEES**

Fees are \$50 for the initial plate or certificate for each license type of license listed in [Section 2](#).

Fees are prorated for dealers applying for licensure after January 31<sup>st</sup>, as shown in the following chart:

MONTH OF APPLICATION	INITIAL PLATE FEE
JANUARY	\$50
FEBRUARY	\$45.83
MARCH	\$41.67
APRIL	\$37.50
MAY	\$33.33
JUNE	\$29.17

MONTH OF APPLICATION	INITIAL PLATE FEE
JULY	\$25
AUGUST	\$20.83
SEPTEMBER	\$16.67
OCTOBER	\$12.50
NOVEMBER	\$8.33
DECEMBER	\$4.17

First plate fees for a two year license

MONTH OF APPLICATION	INITIAL PLATE FEE
JANUARY	\$100
FEBRUARY	\$95.83
MARCH	\$91.67
APRIL	\$87.50
MAY	\$83.33
JUNE	\$79.17

MONTH OF APPLICATION	INITIAL PLATE FEE
JULY	\$75
AUGUST	\$70.83
SEPTEMBER	\$66.67
OCTOBER	\$62.50
NOVEMBER	\$58.33
DECEMBER	\$54.17

Dealers may request up to two dealer plates or certificates of number. Additional plates may be requested based on the number of sales as outlined in [Section 3](#).

## **ADDITIONAL DEALER PLATES**

If you wish to obtain additional dealer license plates or certificates of number, and have not obtained the maximum number of plates allowed based on your sales, you must submit an *Application for Replacement or Additional Dealer Plates* ([Form 5690](#)), or request additional plates through your [MyDMV](#) account.

**Additional plates and certificates of number are \$10.50, when purchased for a full year. If purchased after January 31, the fees are prorated. Payment must be submitted with your application.**

MONTH OF APPLICATION	EACH ADDITIONAL PLATE
JANUARY	\$10.50
FEBRUARY	\$9.63
MARCH	\$8.75
APRIL	\$7.88
MAY	\$7
JUNE	\$6.13

MONTH OF APPLICATION	EACH ADDITIONAL PLATE
JULY	\$5.25
AUGUST	\$4.38
SEPTEMBER	\$3.50
OCTOBER	\$2.63
NOVEMBER	\$1.75
DECEMBER	\$0.88

Additional plate and certificates of number for a two-year license:

MONTH OF APPLICATION	EACH ADDITIONAL PLATE
JANUARY	\$21
FEBRUARY	\$20.13
MARCH	\$19.25
APRIL	\$18.38
MAY	\$17.50
JUNE	\$16.62

MONTH OF APPLICATION	EACH ADDITIONAL PLATE
JULY	\$15.75
AUGUST	\$14.88
SEPTEMBER	\$14
OCTOBER	\$13.12
NOVEMBER	\$12.25
DECEMBER	\$11.38

Enclose a check or money order made payable to the **Missouri Department of Revenue** and mail to:

Motor Vehicle Bureau  
Dealer Licensing Section  
PO Box 43  
Jefferson City, Missouri 65105-0043

The Missouri Department of Revenue may electronically resubmit checks returned for insufficient or uncollected funds.

## **REPLACEMENT DEALER PLATE/CERTIFICATE OF NUMBER**

To obtain a replacement dealer plate or certificate of number, you must complete, sign, and notarize *Application for Replacement or Additional Dealer Plates* ([Form 5690](#)). Submit the application with \$8.50 replacement fee and \$6 processing **for each replacement requested**. If the plate was stolen and a police report is submitted, the replacement plate fee of \$8.50 is not required but you still must submit \$6 processing fee for each plate. (Do not send cash.)

Make check or money order payable to **Missouri Department of Revenue**. The above must be sent to:

Motor Vehicle Bureau  
Dealer Licensing Section  
PO Box 43  
Jefferson City, MO 65105-0043

You must file a report with the local law enforcement authorities or Missouri State Highway Patrol.

## **DRIVEAWAY PLATES**

Driveaway license plates are issued to businesses engaged in transporting vehicles not owned by the business. Driveaway license plates may not be used by tow truck operators. **Trailer dealers may purchase one driveaway plate to display on a motor vehicle taken in on trade for demonstration purposes.**

### **Examples of businesses issued driveaway license plates:**

- Auto detail business;
- Commercial transport business; or
- Auto repair business.

### **Required Documents**

- *Application for Driveaway Plate(s) and Permit* ([Form 2277](#));
- Photographs, not to exceed eight inches by ten inches but no less than five inches by seven inches, of the business building and the business sign; and
- Proof of financial responsibility to cover each vehicle operated on the roads.

### **Required Fees**

- \$44.50 per one-year plate, plus \$6 processing fee; and
- \$89 for two-year plate, plus \$12 processing fee.
  - Fee(s) are not prorated.
- \$8.50 for replacement plate or tab plus \$6 processing fee, if applicable.
  - If police report is submitted, the \$8.50 fee will be waived. The \$6 processing fee may still apply.

## USE OF DEALER LICENSE PLATES

### **GENERAL INFORMATION**

All dealer plates must be shipped by UPS to the dealer's physical address. A licensee must be able to account for all dealer license plates or certificates of number issued to the business at all times. Dealer license plates or certificates of number may only be used by an employee, owner, or officer of the licensee, or by a customer who is test driving the motor vehicle, trailer, or vessel and for use by a customer while the customer's vehicle is being serviced or repaired by the motor vehicle dealer. A customer who is test driving a vehicle or vessel for more than 48 hours, or who is test driving a tractor, truck, or a trailer under loaded conditions, must have a written demonstration agreement in the vehicle which has been signed and dated by both customer and the dealer. The written demonstration agreement must be on the dealer's letterhead and include the following items:

- A statement that the vehicle or vessel is being used for demonstration purposes only ***and*** anticipated duration of the demonstration;
- A description of the vehicle or vessel, including year, make, and identification number;
- Name of the customer demonstrating the unit;
- The dealer's name, dealer number, and business address;
- A statement of the type of property being transported, if applicable; and
- Mileage on odometer of the vehicle at the time demonstration began.
  - For information regarding odometer replacement, refer to [Odometer Repair and Replacement in Section 21, Miscellaneous Information.](#)

All demonstration agreements must be maintained as a part of the dealer's records for a period of one year.

Dealer plates or certificates of number may ***not*** be displayed on a motor vehicle, trailer, or vessel that is hired or loaned to others or on any regularly used service or wrecker vehicle. Motor vehicle dealers must display their dealer plates on a tractor, truck, or trailer to demonstrate a vehicle under a loaded condition.

- Dealer plates may also be displayed on vehicles for use and display purposes during, but not limited to, parades, private events, or charitable events.
- Certificates of number may be used when transporting vessel to an exhibit or show.

Public motor vehicle auctions and wholesale motor vehicle auctions shall not be issued dealer license plates.

### **TEMPORARY PLATES FOR NEW APPLICANTS**

New applicants may obtain up to three temporary dealer license plates that are valid for 30 days from issuance and void upon receipt of regular dealer plates.

## DEALER SALES AND REPORTING REQUIREMENTS

### MINIMUM SALES REQUIRED

[Section 301.550](#), RSMo, requires that a dealer sell eight or more motor vehicles or trailers in each full calendar year registered to be eligible for licensure renewal in the following calendar year.

NUMBER OF MONTHS LICENSED	REQUIRED SALES FOR RENEWAL
1	1
2	2
3	2
4	3
5	4
6	4
7	5
8	6
9	6
10	7
11	8
12	8

Registered boat dealers and trailer dealers are required to sell six or more vessels or vessel trailers (or both) in any full calendar year registered to be eligible for renewal. Boat dealers and trailer dealers registered for less than a full calendar year are required to make a minimum of one sale for each two full months registered (sales may be either at retail or wholesale).

NUMBER OF FULL MONTHS LICENSED	REQUIRED SALES FOR RENEWAL
1	1
2	1
3	2
4	2
5	3
6	3
7	4
8	4
9	5
10	5
11	6
12	6

Any dealer failing to meet the minimum vehicle sales requirements will not be qualified to renew their license for one year.

A licensee registered as boat dealer and a boat manufacturer that custom manufactures boats for biological research and management equipment for fisheries, or for use with scientific sampling and for geological or chemistry purposes, may be exempt from the minimum sale requirement of six units per year as stated in [Section 301.550](#), RSMo. If the business meets these requirements, they must submit proof of these sales by submitting a copy of the work order, invoice, or other documentation showing proof of these sales.

A dealer who sells only emergency vehicles is exempt from meeting the minimum yearly sales requirement.

A dealer or manufacturer buying or selling any motor vehicle, boat, vessel, or trailer without being properly licensed with the Department is required to title and pay applicable tax and penalties on each unit.

## **MONTHLY SALES REPORTING**

[Section 301.280](#), RSMo, provides that “*Every motor vehicle dealer and boat dealer shall make a monthly report to the Department of Revenue, on blanks to be prescribed by the Department of Revenue, giving the following information: date of the sale of each motor vehicle, boat, trailer, and all-terrain vehicle sold; the name and address of the buyer; the name of the manufacturer, year of manufacture, model of vehicle; vehicle identification number; style of vehicle; odometer setting; and it shall also state whether the motor vehicle, boat, trailer, or all-terrain vehicle is new or secondhand.*” The monthly sales report shall include a statement of motor vehicles or trailers sold during the month under subsection 5 of [Section 301.210](#), which states that a motor vehicle dealer “*may deliver a motor vehicle or trailer to a purchaser with a written agreement to pass the certificate of owners with an assignment to the purchaser within thirty days after delivery, inclusive of weekends and holidays.*”

The Motor Vehicle Bureau, Dealer Licensing Section, will **reject** all sales reports that are missing information.

Dealers are required to report sales by the 15<sup>th</sup> of the month following the month in which the sale occurred. Sales may be filed using the [Online Notice of Sale Application](#) or by submitting a *Dealer Monthly Sales Report (Form 385)* and a *Notice of Sale (Form 5049)* for each Missouri retail sale outlined on the form. Any dealer who fails to file the required dealer's monthly sales reports, or who fails to file them timely, shall be subject to disciplinary action as prescribed by [Section 301.562](#), RSMo, or a penalty may be assessed by the Director not to exceed **\$300 per violation** as allowed by [Section 301.280](#), RSMo. The \$300 penalty will be assessed per delinquent report. If a penalty is due, the Department will not renew your dealer license.

## **E-FILING DEALER REPORTS OR COMPLETING A NOTICE OF SALE**

If you elect or are required by law to file your motor vehicle, trailer, ATV, and boat sales electronically, complete an *Application For Online Dealer's Monthly Sales Report Filing (Form 5092)* and submit to the Department. Once approved, you will be issued a user ID and password to access the Department's online [Notice of Sale \(NOS\) Application](#). Refer to the [NOS Dealer User Manual](#) for step-by-step electronic filing instructions.

Dealers who sell 20 or more motor vehicles, trailers, ATVs, and boats per month must file their sales reports electronically. For additional information, refer to the [Sales Reporting Requirements FAQs](#). Dealers must file the dealer's monthly sales report electronically through the Department's [Online Notice of Sale \(NOS\) Application](#). For additional information, refer to the [NOS Dealer User Manual](#).

**All sales must be reported** using one of the following two electronic reporting options:

- **Option #1** - Enter each sale one-at-a-time using the Department's online [Notice of Sale \(NOS\) Application](#). For additional information, refer to the [NOS Dealer User Manual](#).
  - Front-end edits alert the dealer of errors made at the time data is entered.
  - Dealers may add, delete (rescinded sales), or amend reports (sales corrections) submitted within the previous two months provided "File Monthly Sales Report" has not yet been selected.
- **Option #2** - Submit a prescribed file to the Department's secure server through the Department's online [Notice of Sale \(NOS\) Application](#). This method is for dealers who use front-end vendor software (or software developed by the dealer) to complete title applications, etc., and avoids duplicate entry of sales data.
  - Once submitted, the Department will notify you via email if errors are found in the file. Corrections must be made online at that time.

If you file electronically, you will no longer file the paper *Monthly Sales Report* ([Form 385](#)) and *Notice of Sale* ([Form 5049](#)) but you must continue to submit copies of the *Secure Power of Attorney* ([Form 5086](#)) and copies of the front and back of corresponding titles each month **by the fifteenth of each month**, for the previous month.

## **PAPER FILING OF DEALER'S MONTHLY SALES REPORT (FORM 385)**

To complete a paper version of the *Dealer's Monthly Sales Report* ([Form 385](#)):

DEALER LICENSE NAME – Enter name of the dealership exactly as licensed with the dealer licensing section.

DEALERSHIP ADDRESS AND PHONE NUMBER – Enter complete information as filed with the dealer licensing section; address shown must be the actual location of the dealership.

DEALER LICENSE NUMBER – Enter assigned dealer number.

SALES MONTH AND SALES YEAR – Enter month and year in which sales were made.

TOTAL UNITS SOLD – Enter total quantity of motor vehicle, trailer, boat, and boat trailer sales for the month on the front of the report.

TOTAL TEMPORARY PERMITS – Enter total number of temporary permits sold for the month in the designated area.

DATE SOLD – Enter date sold for each unit as shown on the ownership document. (If this information is not given, your report will be rejected.)

BUYER'S NAME AND ADDRESS – Enter each buyer's complete name and address including street, city, and state.

YEAR – Enter last two digits of the year that the vehicle or boat was manufactured.

MAKE – Enter name of the manufacturer of the vehicle/boat.

MODEL – Enter model name of the vehicle or boat (**EXAMPLE:** *Taurus, Sierra, Camry, etc. for motor vehicles and Champion, Ranger, or Monarch, etc. for boats*).

STYLE – Enter vehicle's body style (**EXAMPLE:** two-door, pickup, van hatchback, etc.)

VEHICLE ID NUMBER (VIN) – Enter complete vehicle or boat identification number from the title or Manufacturer's Statement of Origin (MSO).

TYPE – Enter an “X” in the appropriate column.

ODOMETER – Show odometer setting at the time of transfer (as recorded on the title assignment) for all motor vehicles sold. Effective Jan. 1, 2021, a motor vehicle with a model year of 2011 or newer requires mileage disclosure at the time of ownership transfer, until the vehicle reaches the age of twenty years old. If true mileage is unknown and the vehicle has no odometer, enter “EST” and show an estimated mileage. ***Odometer reading is not required for an ATV, a truck over 16,000 pounds, or for a wholesale sale between franchised dealers using an MSO.***

- For information regarding odometer replacement, refer to [Odometer Repair and Replacement in Section 16, Miscellaneous Information](#)

NEW – Enter an “X” in this column only if the vehicle or boat is assigned to the buyer listed on an MSO. A licensed used car dealer cannot assign an MSO but must apply for a title in the dealership's name before selling the vehicle, classifying the vehicle as “used.”

USED – Enter an “X” in this column if the vehicle/boat is not sold on an MSO.

NO TITLE GIVEN – Enter an “X” in this column only if the vehicle was sold without a title per Section 301.210, RSMo.

TEMPORARY PERMIT NUMBER – Enter inventory number of the temporary permit issued, if applicable.

NET PRICE – Enter net price of each unit on all retail sales. Net price is purchase price minus the trade-in allowance.

SIGNATURE/TITLE/DATE – Owner, partner, or corporate officer of the dealership must sign and date each report form and indicate their title.

***If any of the information is incomplete, your sales report will be rejected.*** Failure to file a report or filing an incomplete report will result in a \$300 penalty per report. Attach a copy of the *Secure Power of Attorney* ([Form 5086](#)), and a copy of the front and back of the corresponding title to the sales report for each vehicle sold, if applicable.

Additional sales report forms are available online at <https://dor.mo.gov/forms/385.pdf>.

## **MONTHLY REPORTING – THINGS TO REMEMBER**

- All reports must be submitted to the Motor Vehicle Bureau, Dealer Licensing Section, by the **15<sup>th</sup> day of each month** following the month in which the sale(s) occurred. **EXAMPLE:** Sales that occur in May must be reported on a May sales report and submitted by June 15.
  - A separate report for each dealer number is required.
- All sales of motor vehicles, trailers, boats, and ATV's must be reported; **both wholesale and retail.** (Do not list outboard motor sales or mobile home sales on the monthly sales report.)

- A separate report must be submitted for each month or partial month licensed. If no sales are made during a given month, a report must be submitted indicating “NO SALES”.
- All report forms must be signed by an officer, partner, or owner of the dealership.
- An odometer reading is **not** required when reporting the sale of:
  - Any motor vehicle with a model year of **2010 or older** that is at least ten years of age at the time of ownership transfer;
  - Any motor vehicle with a model year **2011 and newer** that is at least 20 years of age at the time of ownership transfer;
  - Any motor vehicle having a gross weight rating of more than 16,000 pounds;
  - Any new vehicle that is transferred on a manufacturer’s statement of origin between two franchised motor vehicle dealers; and
  - Boats, all-terrain vehicles (ATVs), and trailers.
- The date each unit was sold must be indicated for each unit sold (date sold should be the same as date of sale on the title assignment).
- You must record the sale of all temporary permits, without exception, in the appropriate space on the dealer’s monthly sales report by recording the complete permit number issued on the motor vehicle or trailer sale listed.
- A copy of each sales report submitted should be maintained with your dealership’s records.
- A copy of the *Secure Power of Attorney* ([Form 5086](#)) and a copy of the front and back of the corresponding title must accompany the sales report for each vehicle sold, if applicable.
- **All** St. Louis County (*not* St. Louis City) dealers must use a **green** colored *Dealer Monthly Sales Report* ([Form 385](#)) **or attach a green form** to the top of their computer generated listing.
- A **manufacturer** is **not** required to submit monthly sales reports. If a manufacturer makes retail sales, the business must also be registered as a motor vehicle dealer, and is required to submit monthly sales reports.
- **Failure to file or failure to file timely will result in a \$300 penalty per report. This penalty must be paid in order to renew your dealer license.**
- For questions, email [dealerlic@dor.mo.gov](mailto:dealerlic@dor.mo.gov).

## **PENALTY FOR FALSE STATEMENT OR OMISSION OF FACTS ON SALES REPORTS**

[Section 301.280](#), RSMo, provides that any person who knowingly makes a false statement or omission of a material fact in a monthly sales report to the Department of Revenue shall be deemed guilty of a class A misdemeanor.

## DEALER ADVERTISING PRACTICES

Section 301.567, RSMo, provides "Advertising standards, violation of, when."

A violation of any of the following advertising standards shall be deemed an attempt by the advertising dealer to obtain a fee or other compensation by fraud, deception, or misrepresentation in violation of Section 301.562, RSMo:

- A motor vehicle shall not be advertised as new, either by express terms or implication, unless it is a "new motor vehicle" as defined in Section 301.550, RSMo;
- When advertising any motor vehicle which is not a new motor vehicle, such advertisement must expressly identify that the motor vehicle is a used motor vehicle by express use of the term "used", or by such other term as is commonly understood to mean that the vehicle is used;
- Any terms, conditions, and disclaimers relating to the advertised motor vehicle's price or financing options shall be stated clearly and conspicuously. An asterisk or other reference symbol may be used to point to a disclaimer or other information, but not be used as a means of contradicting or changing the meaning of an advertised statement;
- The expiration date, if any, of an advertised sale or vehicle price shall be clearly and conspicuously disclosed. In the absence of such disclosure, the advertised sale or vehicle price shall be deemed effective so long as such vehicles remain in the advertising dealer's inventory;
- The terms "list price," "sticker price," or "suggested retail price" shall be used only in reference to the manufacturer's suggested retail price for new motor vehicles, and, if used, shall be accompanied by a clear and conspicuous disclosure that such terms represent the "manufacturer's suggested retail price" of the advertised vehicle;
- Terms such as "at cost," "\$..... above cost," "invoice price," and "\$.....below or over invoice" shall not be used in advertisements because of the difficulty in determining a dealer's actual net cost at the time of the sale;
- When the price or financing terms of a motor vehicle are advertised, the vehicle shall be fully identified as to year, make, and model. In addition, in advertisements placed by individual dealers and not line-make marketing groups, the advertised price or credit terms shall include all charges which the buyer must pay to the dealer, except buyer selected options and state and local taxes. If a processing fee or freight or destination charges are not included in the advertised price, the amount of any such processing fee and freight or destination charge must be clearly and conspicuously disclosed within the advertisement;
- Advertisements of "dealer rebates" shall not be used, however, this shall not be deemed to prohibit the advertising of manufacturer rebates, so long as all material terms of such rebates are clearly and conspicuously disclosed;
- "Free" and "at no cost" shall not be used if any purchase is required to qualify for the "free" item, merchandise, or service;

- "Bait advertising" in which an advertiser may have no intention to sell at the prices or terms advertised, shall not be used. Bait advertising shall include, but not be limited to, the following:
  - *Example #1 - Not having available for sale, the advertised motor vehicles at the advertised prices. If a specific vehicle is advertised, the dealer shall be in possession of a reasonable supply of such vehicles, and they shall be available at the advertised price. If the advertised vehicle is available only in limited numbers or only by order, such limitations shall be stated in the advertisement.*
  - *Example #2 - Advertising a motor vehicle at a specified price, including such term "as low as \$.....," but having available for sale only vehicles equipped with dealer-added cost options, which increase the selling price above the advertised price.*
- Any reference to monthly payments, down payments, or other reference to financing or leasing information shall be accompanied by a clear and conspicuous disclosure of the following:
  - Whether the payment or other information relates to a financing or a lease transaction;
  - If the payment or other information relates to a financing transaction, the minimum down payment, annual percentage interest rate, and number of payments necessary to obtain the advertised payment amount must be disclosed, in addition to any special qualifications required for obtaining the advertised terms including, but not limited to, "first-time buyer" discounts, "college graduate" discounts, and a statement concerning whether the advertised terms are subject to credit approval; and
  - If the payment or other information relates to a lease transaction, the total amount due from the purchaser at signing with such costs broken down and identified by category, lease term expressed in number of months, whether the lease is closed-end or open-end, and total cost to the lessee over the lease term in dollars.
- Any advertisement which states or implies that the advertising dealer has a special arrangement or relationship with the distributor or manufacturer, as compared to similarly situated dealers, shall not be used;
- Any advertisement which, in the circumstances under which it is made or applied, is false, deceptive, or misleading shall not be used;
- No abbreviations for industry words or phrases shall be used in any advertisement unless such abbreviations are accompanied by the fully spelled or spoken words or phrases.
- The requirements of this section shall apply regardless of whether a dealer advertises by means of print, broadcast, electronic media, or direct mail.
- If the advertisement is by means of a broadcast or print media, a dealer may provide the disclaimers and disclosures required under [Section 301.567.2](#), RSMo, by reference to an Internet web page or toll-free telephone number containing the information required to be disclosed.
- Dealers shall clearly and conspicuously identify themselves in each advertisement by use of a dealership name which complies with [Section 301.560](#), RSMo.

## DEALER OFF-PREMISES AND SUNDAY SALES

### OFF-PREMISES SHOW

An off-premises show includes the stationary display of all or any part of a motor vehicle dealer's inventory at any location other than the dealer's usual, bona fide established place of business, regardless of whether sales agents, other dealership employees, or owners are present to promote the sale of or to sell the displayed vehicle(s) or to otherwise transact business concerning the dealership.

#### **Dealers shall be divided into classes as follows for the purposes of off-premises shows:**

- Boat dealers;
- Franchised new motor vehicle dealers;
- Used motor vehicle dealers;
- Wholesale motor vehicle dealers;
- Recreational motor vehicle (RV) dealers;
- Historic motor vehicle dealers;
- Classic motor vehicle dealers;
- Powersport dealers; and
- Trailer dealers.

Recreational motor vehicle dealers may participate in an off-premises show or sale even if a majority of recreational motor vehicle dealers in a city or town do not participate in the event.

### OFF-PREMISES RESTRICTIONS

Dealers may participate in or conduct up to two motor vehicle shows or sales annually and conduct sales of motor vehicles away from the dealer's bona fide established place of business ("event") when:

- The event is conducted for not more than five consecutive days;
- Participating dealers are not required to pay an unreasonably prohibitive participation fee, not to exceed \$500; reasonable participation fees may include necessary costs such as rental of a lot or real property and a blanket insurance policy covering all participating dealers; and
- Notice of the event and opportunity to participate for certain dealers is provided as follows:
  - A majority of dealers of the same class (new, used, powersport, etc.) within the city or town of each dealership participating in the event must participate or be invited and have the opportunity to participate in the event; and
  - A majority of dealers within ten miles of the location of the event or within ten miles of the outside boundary lines of the city or town in which the event is held must participate or be invited and have the opportunity to participate.
    - Franchise Dealers: all other dealers of the same new vehicle line-make must participate or be invited and have the opportunity to participate in the event. These invited dealers count for purposes of inviting a majority of dealers as stated above.

Off-premises show restrictions do not apply to vessel or trailers.

RV dealers may participate in an off-premises show or sale, even if a majority of other RV dealers in a city or town do not participate in the event.

Auctions (public or wholesale) may not be conducted off-site.

## **OFF-PREMISES DISPLAYS**

The following vehicle displays are not considered off-premises shows and are not subject to restrictions:

- Promotions or contests, conducted by a person or business who is not a licensed motor vehicle dealer, that involve the stationary display of a dealer's motor vehicle as a means of attracting attention to and participation in the promoter's event, service or product:
  - The dealer providing the motor vehicle **must remove** all items identifying the dealer from the motor vehicle prior to its display, with the exception of information required to be displayed on the vehicle by federal and state law.
  - The promoter, **not the dealer**, may identify the dealer only by means of a notation on its promotional material stating "vehicle provided courtesy of (name of dealer)" or similar language.
- The display of motor vehicles at meetings of organizations which are open only to members of the organization and not to the general public;
- The display of motor vehicles at the Missouri State Fair; and
- Parades in which one or more local dealerships provide motor vehicles from their inventory to be driven as part of the parade.

## **OFF-PREMISES SALE OF VEHICLE USED, TITLED, AND REGISTERED BY DEALERSHIP**

Any person, partnership, or corporation disposing of vehicles used and titled in the ordinary course of business may sell at retail, away from the bona fide place of business, as an off-site sale provided the dealership meets the following conditions:

- The dealership has a valid license from the Department for the sale of used motor vehicles;
- An off-site sale cannot exceed five days and only one sale per year, per county;
- Submit payment of the \$550 permit fee to the Motor Vehicle Commission Fund for each off-site event;
- Notify the Department at least ten days prior to the sale of the date, location, and duration of the off-site sale;
- The sale of motor vehicles must be held in conjunction with a credit union or other financial institution, limited to members of the credit union or customers of the other financial institution, and sales held in conjunction with a credit union must be advertised as a private sale for members only;
- Sales held in conjunction with a credit union or other financial institutions must be held on the premises of that credit union or other financial institution; and
  - Off-site sales held at other financial institutions must be limited to one sale, per year, per institution.
- The sales of current model year motor vehicles, except discontinued models, are prohibited at off-site sales until the vehicles of the current model year are offered for sale to the public.

## **RV SHOWS – REQUIREMENTS FOR OUT-OF-STATE PARTICIPANTS**

Section 301.566, RSMo, requires recreational vehicle (RV) dealers licensed in another state wanting to participate in an RV show or exhibition in Missouri must complete a *Request for Out-of-State Dealer Participation in Missouri Recreational Vehicle Show or Exhibit (Form 5132)* **at least 30 days prior** to the event.

Eligibility requirements are based on events with participation of:

- **Less than 50 Dealers (49 or less):**
  - Dealer's manufacturer must approve the participation;
  - The show or exhibition must have a minimum of ten RV dealers licensed in Missouri who are participating;
  - More than 50 percent of the RV dealers participating must be licensed in Missouri; and
  - The RV dealer must be licensed in a state that borders Missouri and allows Missouri RV dealers to participate in shows conducted within their state with substantially the same requirements.
- **Events with 50 or more Dealers:**
  - The event must be trade oriented; and
  - Must be predominantly funded by the RV manufacturers.

Within 15 days prior to the date of the event, the Department will notify the dealer of its decision to approve or deny the request for participation. If approved, an RV Off-Premises Permit will be issued.

The dealer must retain the permit during the show or exhibition.

The Director may assess a fine of up to \$5,000 for violations of this law.

## **SUNDAY SALES**

Section 578.120, RSMo, prohibits a dealer, distributor, or manufacturer from opening, operating, or assisting to keep open or operating any established place of business for the purpose of buying, selling, bartering, or exchanging any new or used motor vehicle on Sunday. This does not apply to the sales of:

- Manufactured housing;
- Recreational Vehicles;
- Motorcycles;
- Motortricycles;
- Autocycles;
- Motorized bicycles;
- All-terrain vehicles;
- Recreational off-highway vehicles;
- Utility vehicles;
- Personal watercraft; and
- Other motorized vehicles customarily sold by power sports dealers licensed pursuant to Sections 301.550 to 301.560, RSMo;

The Sunday sales prohibition also does not apply to:

- Washing, towing, wrecking, and or repairing operations;
- Sales of petroleum products, tires, and repair parts or accessories; and

- New vehicle shows or displays when five or more franchised dealers participate in a show or display conducted in a town or city with five or less dealers (a majority of the city or town dealers).

For questions regarding new motor vehicle shows or displays to be held on Sunday, contact Department of Revenue, Dealer Licensing Section at 573-526-3669, option 7.

## DEALER FINANCIAL RESPONSIBILITY

### **REQUIREMENTS TO MAINTAIN FINANCIAL RESPONSIBILITY**

[Sections 303.010 to 303.370](#), RSMo, require motor vehicle and trailer owners, including motor vehicle dealers, to maintain financial responsibility for each motor vehicle owned, licensed, or operated on the streets or highways. This includes vehicles held for resale and those actually owned and licensed by the dealer for use in the operation of the dealership. Proof of financial responsibility may be in any of the following forms:

- A motor vehicle liability insurance policy;
- A Self-Insured Identification Card issued by the Department of Revenue, Driver License Bureau;
- A current insurance identification card; or
- A Financial Responsibility Identification Card issued by the Department of Revenue, Driver License Bureau.

For additional information regarding these methods of proving financial responsibility, contact the Missouri Department of Revenue, Driver License Bureau, PO Box 200, Jefferson City, MO 65105-0200, or phone the Driver License Bureau at 573-751-4600 or contact your insurance agent.

### **PENALTIES FOR FAILURE TO MAINTAIN FINANCIAL RESPONSIBILITY**

[Sections 302.281](#) and [303.024 to 303.044](#) RSMo, outline all financial responsibility requirements and penalties.

## SALVAGE BUSINESS LICENSE REQUIREMENTS

### **WHO IS REQUIRED TO BE LICENSED AS A SALVAGE BUSINESS?**

You must be licensed as a salvage business if you conduct business as a used parts dealer, salvage dealer and dismantler, body shop, re-builder, or scrap processor, **unless** such activities are incidental to the sale, repair, rebuilding, or servicing of vehicles by a registered Missouri motor vehicle **franchised** dealer. A business that sells only used tires is not required to obtain a salvage business license.

### **HOW DO I APPLY FOR A LICENSE?**

The Department will issue a Salvage Business License Certificate of Registration to all salvage business license applicants upon approval of their application. All salvage business licenses expire on June 30<sup>th</sup> every two years. It is unlawful for anyone to operate as a salvage business licensee who is not registered as such.

Any person who wishes to register as a salvage business may apply online using [MyDMV.mo.gov](http://MyDMV.mo.gov).

Be prepared to upload the following documents in a TIFF or PDF format:

- *Inspection and Certification for Missouri Salvage Business License* ([Form 5747](#));
- A completed criminal record which the licensee obtains from the Missouri State Highway Patrol or the agency responsible for criminal records in the dealer's state of residency;
- Photograph of the applicant's building and building premises;
- Mail-to letter signed by the post office, if your mailing address is different than your physical address; and
- Appropriate fees.

The above requirements are further explained in the pages that follow.

You may also submit the above requirements, along with an *Application for Missouri Salvage Business License* ([Form 1879](#)), to the address listed on Form 1879.

### **COMPLETING THE ONLINE APPLICATION FOR A NEW OR RENEWAL MISSOURI SALVAGE BUSINESS**

**All incorrect or incomplete applications will be rejected. If you are renewing, please verify the following information is still accurate.**

#### **ORGANIZATION INFORMATION**

**Business name** - List the name(s) to be used by the business (e.g., John Doe Enterprises, Inc., DBA John Doe Auto Sales). The DBA should be registered with the Secretary of State as a fictitious name. For more information, please contact the Secretary of State's Office by calling 573-751-3827 or at [sos.mo.gov](http://sos.mo.gov).

## CONTACT INFORMATION

**Business telephone number and email address** - Provide your business telephone number and email address. Also include a contact person and their telephone number.

## PHYSICAL ADDRESS

Enter complete business address. A mailing address may be added by clicking the blue plus sign (+) **only** if the United States Postal Service will not deliver mail to your business location address because of security reasons such as theft or vandalism. You must provide a copy of the letter from the postal authorities to confirm that mail cannot or will not be delivered to your business address with your application **before** a "Mail To" will be considered for approval. Lack of a proper mail receptacle is not justification for the use of a "Mail To" address.

## FEES

A check or money order made payable to the Missouri Department of Revenue in the amount of \$130 for **each** salvage business activity marked on the application. If registering as both a used parts dealer and a salvage dealer and dismantler, only one \$130 fee must be submitted. **Fees for new applicants are prorated quarterly (see chart below).**

SALVAGE BUSINESS LICENSE FEE SCHEDULE	
<b>One license or Used Parts License and Salvage Dealer and Dismantler License</b>	
JULY 1 - SEPTEMBER 30	\$130 = 22 - 24 months
OCTOBER 1 - DECEMBER 31	\$113.75 = 19 - 21 months
JANUARY 1 - MARCH 31	\$97.50 = 16 - 18 months
APRIL 1 - JUNE 30	\$81.25 = 13 - 15 months
<b>Two licenses</b>	
JULY 1 - SEPTEMBER 30	\$260 = 22 - 24 months
OCTOBER 1 - DECEMBER 31	\$227.50 = 19 - 21 months
JANUARY 1 - MARCH 31	\$195 = 16 - 18 months
APRIL 1 - JUNE 30	\$162.50 = 13 - 15 months
<b>Three licenses</b>	
JULY 1 - SEPTEMBER 30	\$390 = 22 - 24 months
OCTOBER 1 - DECEMBER 31	\$341.25 = 19 - 21 months
JANUARY 1 - MARCH 31	\$292.50 = 16 - 18 months
APRIL 1 - JUNE 30	\$243.75 = 13 - 15 months

## LICENSE OPERATIONS

- Operation Type - Refer to definitions in [Section 2](#) to determine the appropriate type of business operations. A new application is required for each type of operation.
- Statement of Non Public Sale - A salvage dealer or dismantler, which only sells salvage vehicles and parts wholesale, is not required to provide proof of a Missouri sales tax registration, but must submit a written statement signed by the business owner stating that only wholesale sales will be made and that no sales will be made to the public.
- MISSOURI Sales Tax License - A used parts dealer is required to submit proof of a Missouri sales tax registration and may not submit a Statement of Non Public Sale.

## CURRENT AND PAST SALVAGE HISTORY

Complete all applicable areas of the current and past salvage history section. Click on the plus sign (+) in the right corner of the banner to add additional license numbers, if applicable.

## OWNER INFORMATION

Enter complete owner information. When renewing online, click on the plus sign (+) in the right corner of the green banner to add additional owners if applicable.

## BACKGROUND CHECK INFORMATION

A criminal record is required for each owner listed on the salvage business license application and must have been issued within six months of the issuance or renewal of the salvage business license, click the plus sign (+) to upload additional background check records.

When ***renewing or obtaining your initial Missouri Salvage Business License***, you must obtain a criminal record utilizing the Missouri State Highway Patrol's Missouri Automated Criminal History Site (MACHS). This site can be accessed at <https://www.machs.msdp.dps.mo.gov/MACHSFP/home.html> or via link on the Department of Revenue's dealer website at <https://mydmv.mo.gov/businesslicensing/BusinessLicense/AppStatus>.

Upon registering with MACHS, you will be prompted to create a personal account. Following the submission of your record check request, the response will be returned directly to your MACHS account that you created. Your response may be returned almost instantaneously, however, some results may take several days depending on processing workloads. (Note: A salvage business may set up one account and request multiple record checks under this one account.)

To avoid a delay in obtaining a salvage business license, it is very important that owners begin this process as soon as possible in order to have the criminal record when sending in license renewal documentation or initial licensing documentation.

Be sure to check your MACHS account frequently as MACHS will only retain the criminal record results for 30 days. After 30 days, MACHS will archive the results and a new criminal record request must be submitted with additional payment.

Record check results should be retrieved from your account and provided with your renewal application.

Points to remember:

- A name-based criminal history record is required for each owner listed on the salvage business license application and must have been issued within six months of the issuance or renewal of the dealer license.
- The web address for the MACHS system is:  
<https://www.machs.msdp.dps.mo.gov/MACHSFP/home.html>
- Choose the option "Click Here to Access the MACHS Name Search Portal to conduct a background check by Name, Date of Birth, or Social Security Number."

If any of the owners, partners, or principal officers is a resident of a state other than Missouri, you must submit a current background check from the Highway Patrol or Background Investigation Bureau in the state in which they reside.

## **SIGNATURE**

An owner, partner, or corporate officer listed on the application must sign the application. By signing the application, the applicant certifies that the information is true and accurate and that the business has, and will maintain, a bona fide place of business, during the entire period of registration.

## **LOCATION INSPECTION**

Inspection and Certification for Missouri Salvage Business License ([Form 5747](#)).

## **BUSINESS PHOTO**

A photograph, not to exceed eight inches by ten inches (8" x 10") and no smaller than five inches by seven inches (5" x 7"), showing the building and building premises. This must accompany the initial application but is not required for renewals, unless changes have been made to the building or building premises.

## **TAXES ON PARTS**

A salvage business **must** have a Missouri Retail Sales Tax License to sell new or used parts and must collect the tax from the purchaser of the parts.

A salvage business that uses parts from their inventory for their own use (e.g., rebuilding a motor vehicle), must pay taxes on the purchase price of the parts unless he or she is also registered as a motor vehicle dealer.

State and local tax is due on the sale of motor vehicle parts. The tax rate for state sales tax is 4.225% of the net price of the part, in addition to any local taxes that are imposed.

## **SALVAGE POOLS AND DISPOSAL SALES**

[Section 301.217](#), RSMo, defines a salvage pool or salvage disposal sale as, "a scheduled sale at auction or by private bid of wrecked or repairable motor vehicles by insurance by companies, underwriters, or dealers, either at retail or wholesale."

### **Records Required Of Salvage Pools or Salvage Disposal Sale Operators**

Operators of salvage pools or disposal sales:

- Are not required to be registered with Department of Revenue;
- Are required to keep records for three years of the purchasers' name and address, and the year, make, and vehicle identification number for each vehicle;
- Are required to submit records to the Dealer Licensing Section on a quarterly basis; and
- These records shall be open for inspection as provided in [Section 301.225](#).

Only the following persons may participate in sales at salvage pools or disposal sales:

- Engaged and holding a current Missouri salvage license;
- From another state or jurisdiction who are legally allowed in their state to purchase for resale, rebuild, dismantle, crush or scrap motor vehicles; or
- Who reside in a foreign country and are purchasing salvage vehicles for export outside the United States.

Sellers of non-repairable or salvage vehicles at salvage pools or disposal sales for export outside of the United States must:

- Stamp in each unused reassignment space on the back of the title the words "FOR EXPORT ONLY" and print the number of the dealer's salvage vehicle license, name of the salvage pool,

- or the name of the governmental entity, as applicable; and
- Forward copies of the title to the Dealer Licensing Section on a quarterly basis.

Operators of salvage pools or salvage disposal sales must keep a record of all sales of salvage vehicles for three years. The records must contain the purchaser's name, address, year, make, and vehicle identification number for each vehicle purchased. The records must be open to inspection by any representative of the Department of Revenue, uniformed officer member, or designated employee of the Missouri State Highway Patrol, or any law enforcement officer.

## **RESPONSIBILITIES OF A BODY SHOP**

Any time a body shop replaces two or more major component parts on an individual's vehicle, the body shop should notify in writing the Department of Revenue, PO Box 100, Attention: Rebuilt Section, Jefferson City, MO 65105 of the following:

- Individual's name and address;
- Year, make, and vehicle identification number; and
- Major component parts replaced.

## **RESPONSIBILITIES OF A SCRAP METAL OPERATOR**

[Section 301.227](#), RSMo, requires a scrap metal operator to obtain proof of ownership and keep records of all motor vehicles or motor vehicle parts purchased. A scrap metal operator may purchase a motor vehicle over 10 years of age or motor vehicle parts without obtaining an original certificate of title, salvage certificate of title, or a junking certificate from the seller (follow instructions on the [Form 5423](#)).

**NOTE:** The ownership documents obtained from a non-salvage business licensee must have "sold for destruction" or "destroyed" stamped or written on the face of the title, along with the name of the purchaser and the date vehicle was sold. The title must be forwarded to the director of revenue within ten days of purchase for destruction.

A scrap processor must keep a record for three years of all motor vehicles or motor vehicle parts purchased. The record must be open for inspection as provided in [Section 301.225](#), RSMo, and include the following information:

- Seller's name and address;
- Salvage business license number, if applicable;
- Date of purchase; and
- Motor vehicle or motor vehicle parts identification numbers.

# CHANGES INVOLVING THE DEALERSHIP OR SALVAGE BUSINESS

## **DEALERSHIP**

You must notify the Department of Revenue immediately for any of the following (you will be in violation of Missouri law and subject to administrative disciplinary action against your dealership if you fail to notify the Department):

### **CHANGE IN DEALERSHIP LOCATION**

A licensee who changes its business location during the licensure year must notify the Department of that change prior to operating at the new site. The following must be submitted to the Department:

- A new *Application for Dealer, Auction, or Manufacturer License and Number Plate(s)* ([Form 4682](#)), properly completed that indicates “**Address Change Only**” at the top of the application. The application is required to be certified by authorized law enforcement;
- A photograph of the business location that meets the specifications required of new applicants and clearly shows the business building, lot and sign;
- A garage policy showing the new address.

### **CHANGE IN DEALERSHIP NAME**

A licensee who changes its business name during the licensure year must notify the Department of that change prior to operating with the new name. The following must be submitted to the Department:

- A new *Application for Dealer, Auction, or Manufacturer License and Number Plate(s)* ([Form 4682](#)), properly completed that indicates “**Name Change Only**” at the top of the application. The application is **not** required to be certified by authorized law enforcement;
- A photograph of the business location that meets the specifications required of new applicants and clearly shows the business sign displaying the new business name;
- A corporate surety bond ([Exhibit A](#)), bond rider, or revision to the irrevocable letter of credit ([Exhibit B](#)) that reflects the licensee’s new business name; and
- A garage policy showing the new name.

### **PARTIAL CHANGE IN DEALERSHIP OWNERS**

- To register an additional owner - Complete a statement indicating the name, birth date, social security number, and home address, of the individual(s) being added to the dealership. The statement must be signed by one of the owners previously listed on the dealer application and also by the person being added to the dealership. Obtain a criminal background from the Missouri State Highway Patrol as instructed in [Section 3](#) (Background Check). Out-of-state residents need to send in a background check.
- To delete an owner - Notify the Department of Revenue in writing of all owner names to be deleted from your dealer registration and the date the change is to be effective. This must be signed by one of the owners still listed and by the individual(s) being deleted, with a statement that the person(s) no longer has any interest in the dealership. If the person being deleted is listed on the corporate surety bond ([Exhibit A](#)) or irrevocable letter of credit ([Exhibit B](#)), a new corporate surety bond or irrevocable letter of credit must be submitted.

- During the renewal of your dealer license, you may add or delete an owner without having to submit a statement.

## **COMPLETE CHANGE IN DEALERSHIP OWNERS**

- Notify the Department in writing immediately indicating the date the buy-out will take place.
- The seller must forward all dealer plates, certificate of registration, all un-issued permits and riders, and all required monthly sales reports to the Department the last day of operation.
- The purchaser must submit a completed application for dealer's registration and comply with all the requirements of a new dealer.
- The purchaser cannot operate as a dealer until the registration is approved.

## **DEALERSHIP BUY-OUT**

Upon the sale of a currently registered motor vehicle dealership, the Director may, upon written request by the selling dealer, authorize the new approved dealer applicant to retain the selling dealer's license number.

- A Letter of Appointment signed by the manufacturer in lieu of requiring the entire franchise agreement may be submitted, if applicable.
- The selling dealer may transfer or sell any un-issued temporary permits remaining in inventory to the buying dealer, provided the seller notifies the dealer licensing section in writing of such fact, including the control numbers of each temporary permit which have been transferred.
- All documentation must be submitted as a new dealer.
- The purchaser cannot operate as a dealer until the registration is approved.

## **TERMINATING, SELLING, OR ABANDONING THE DEALERSHIP**

When you close, sell, or abandon your dealership you must **immediately**:

- Notify the Department in writing that the dealership is closed or sold and the date of the closure/sale; and
- Surrender all dealer license plates or certificates of number, un-issued temporary permits and riders, all required monthly sales reports, and dealer license certificate to the Department (in no event later than 10 days following such circumstance).
- Title and pay taxes on all motor vehicles/trailers/boats you buy and sell during the time you are not licensed.

## **DEATH OR INCAPACITATION OF AN OWNER**

If a licensee dies or becomes incapacitated, the heir(s) or estate of the licensee or legal guardian has no more than 180 days after death or incapacitation, or until the license expires, whichever comes first, in which to settle the affairs of the licensee or to apply for a new license in the name of the successor. If the successor wants to retain the dealership name and number, a written request must be submitted along with all the required documents and fees of a new applicant.

## **SALVAGE BUSINESS**

If your salvage business incurs any of the changes listed below, submit the following to the Department:

## **CHANGE IN BUSINESS LOCATION**

A licensee who changes its business location during the licensure year must notify the Department of that change prior to operating at the new site. The following must be submitted to the Department:

- A *signed* Application for Missouri Salvage Business License ([Form 1879](#)) indicating the new address. Record "Address Change" at the top of the application; and

- A photograph showing the building and building premises.

## CHANGE IN BUSINESS NAME

A licensee who changes its business name during the licensure year must notify the Department of that change prior to operating with the new name. The following must be submitted to the Department:

- A signed *Application for Missouri Salvage Business License* ([Form 1879](#)) indicating the new business name. Record "Name Change" at the top of the application.

## PARTIAL CHANGE IN BUSINESS OWNERS

- To register an additional owner- Complete a statement indicating the name, birth date, social security number, and home address, of the individual(s) being added to the business. The statement must acknowledge the addition and be signed by one of the owners previously listed on the business application and also by the person being added to the business. Obtain a criminal background from the Missouri State Highway Patrol as instructed in Section 4 (Background Check). Out-of-state residents need to send in a background check.
- To delete an owner- Complete a statement including the business name, salvage license number, and the name of the individual(s) being removed from the business. The statement must be signed by one of the owners still listed and by the individual(s) being removed.

## TERMINATION OF A SALVAGE BUSINESS

- A statement notifying the Department that the salvage business has been terminated including the date of termination/closed. The seller must surrender the salvage business license.

## DEATH OR INCAPACITATION OF AN OWNER

If a licensee dies or becomes incapacitated, the heir(s) or estate of the licensee or legal guardian has no more than 180 days after death or incapacitation, or until the license expires, whichever comes first, in which to settle the affairs of the licensee or to apply for a new license in the name of the successor. If the successor wants to retain the business name and number, a written request must be submitted along with all the required documents and fees of a new applicant.

# DEALER AND SALVAGE BUSINESS RECORD KEEPING REQUIREMENTS

## DEALERS

### RECORD KEEPING REQUIREMENTS

Section 301.280(2), RSMo, provides that, "Every dealer and every person operating a public garage shall keep a correct record of the vehicle identification number, odometer setting, manufacturer's name of all motor vehicles or trailers accepted by him for the purpose of sale, rental, storage, repair or repainting, together with the name and address of the persons delivering such motor vehicle or trailer to the dealer or public garage keeper, and the person delivering such motor vehicle or trailer shall record such information in a file kept by the dealer or garage keeper. The record shall be kept for five years and be open for inspection by authorized or designated employees of law enforcement and persons, agencies, and officials designated by the Director of Revenue."

### MAINTAINING RECORDS DIGITALLY

Sections 301.560.1 and 301.280(2), RSMo, require that dealers maintain books, records, files, and other matters required and necessary to conduct the business (BRF) at the registered location of the dealership. Paper BRF are normally maintained by dealerships; however, if a dealer desires to maintain BRF digitally, they may do so provided they adhere to the following standards established by the Department of Revenue as a party under the Uniform Electronic Transactions Act:

- Secure documents including, but not limited to, certificates of ownership, manufacturer statement of origin, and secure powers of attorney must continue to be maintained in paper format.
- Paper BRF must be scanned or retained digitally in a high quality which preserves the integrity of the original documents.
- Digital BRF must be organized in a reasonable way and labeled such that they are easily identifiable and accessible for inspection purposes.
- As required by Section 301.564, RSMo, BRF must be accessible to law enforcement and Department personnel during regular business hours.
- The dealer must be willing to reproduce digital BRF upon request to law enforcement or Department personnel, either by forwarding requested BRF via email; providing BRF via flash drive, compact disc (CD), or other digital media format which is mutually agreed to by the dealer and Department personnel; or by printing the BRF maintained digitally. Any dealer who refuses to provide copies of digital BRF will be required to provide paper copies of BRF for inspection purposes.
- It is strongly suggested that digital BRF be backed up to prevent total loss. ***Loss of digital BRF, for whatever reason, will be considered a violation of applicable dealer licensing statutes.***

***Failure to open books, records, files, and other documentation for inspection during normal business hours, for whatever reason, will be considered a violation of the applicable dealer licensing statutes.***

Failure to maintain digital BRF in accordance with the policies outlined in this section will be considered a failure to abide by the conduct and security procedures required by the Department as a party under the Uniform Electronic Transaction Act, [Sections 432.200 to 432.295](#), RSMo, and will subject the dealership to disciplinary action.

## **TEMPORARY PERMIT RECORDS**

[Section 301.140\(6\)](#), RSMo, provides in part that, “Every motor vehicle dealer that issues temporary permits shall keep, for inspection by proper officers, an accurate record of each permit issued by recording the permit number, the motor vehicle dealer's number, buyer's name and address, the motor vehicle's year, make, and manufacturer's vehicle identification number, and the permit's date of issuance and expiration date.”

## **BUSINESS RECORDS**

Missouri Code of State Regulations, [12 CSR 10-26.050](#), provides for what business records must be kept by boat dealers, boat manufacturers, motor vehicle dealers, wholesale motor vehicle dealers, and motor vehicle manufacturers, as well as the retention period of these records. The licensee must maintain:

- Clear and complete books, records, files, and other matters required and necessary to conduct the business of manufacturing and or selling motor vehicles, trailers, or boats including, but not limited to, titles, riders, disclosure statements, affidavits, inventory, and related documentation;
- Sufficient proof of ownership at the business location for each vehicle or unit owned by the licensee in the form of a certificate of ownership or copy thereof, bill of sale, or invoice;
- The business records at the office of the licensee's business location;
- The business records for a period of not less than five years, unless otherwise specified by law; and
- Clear and complete copies of all odometer disclosure documents issued and received by the licensee for a period of five years.

## **INSPECTION OF RECORDS**

An employee of the Department of Revenue or any authorized or designated employee of law enforcement is authorized by Missouri law to inspect (during regular business hours) any of the following documents, which are in the possession or under the control of any person or agent licensed or registered as a vehicle manufacturer, boat manufacturer, motor vehicle dealer, boat dealer, wholesale motor vehicle dealer, wholesale motor vehicle auction, or a public motor vehicle auction under [Sections 301.550 to 301.573](#), RSMo:

- The title to any vehicle or vessel;
- Application for title to any vehicle or vessel;
- Any affidavit under [Sections 301.550 to 301.573](#) or [Chapter 407](#), RSMo;
- Assignment of title to any vehicle or vessel;
- Any disclosure statement or other document relating to mileage or odometer readings required by the laws of the United States or any other state; and
- Any inventory and related documentation.

Regular business hours are defined in the Missouri Code of State Regulations, [12 CSR 10-26-010](#) and in [Section 3](#).

For purposes of this section, the term “law enforcement” shall mean any of the following:

- Attorney general, or any person designated by him to make such an inspection;

- Any prosecuting attorney or any person designated by a prosecuting attorney to make such an inspection;
- Any member of the highway patrol;
- Any sheriff or deputy sheriff; or
- Any peace officer certified under [Chapter 590](#), RSMo, acting in their official capacity.

## **SALVAGE BUSINESS**

### **RECORD KEEPING REQUIREMENTS**

[Section 301.225](#), RSMo, requires each salvage business licensee to maintain a record for three years on every vehicle, used transmission, rear end, cowl, frame, body, front-end assembly, or engine acquired, for vehicles less than seven years old.

In addition, [Section 301.225](#), RSMo, also requires each salvage business licensee to maintain a record on every vehicle wrecked, dismantled, or disposed of by them, including the date it was wrecked, dismantled, or disposed. If the vehicle is sold to a scrap metal operator, the licensee must also record the operator's name and address.

The record must contain the following information:

- The date of its receipt or acquisition;
- The name and address of the person or business from whom it was received;
- The vehicle's identifying number and description;
- The date it was sold to the scrap metal operator; and
- The scrap metal operator's name and address.

For any vehicle not sold to a scrap metal operator, the salvage business licensee must have a record of:

- The vehicle's description and identifying number;
- The date he or she received it;
- The name and address of the person from whom it was received; and
- The date the vehicle was disposed.

[Section 407.300](#), RSMo, requires every purchaser or collector of, or dealer in, junk, scrap metal, or any secondhand property who obtains items for resale or profit shall keep a register containing a written or electronic record for each purchase or trade in for each transaction involving any:

- Copper, brass, or bronze;
- Aluminum wire, cable, pipe, tubing, bar, ingot, rod, fitting, or fastener;
- Material containing copper or aluminum that is knowingly used for farming purposes as farming is defined in [Section 350.010](#), RSMo, whatever may be the condition or length of such metal;
- Detached catalytic converter; or
- Motor vehicle, heavy equipment, or tractor battery.

The record required by this section shall contain the following data:

- A copy of the driver license or photo identification issued by the state or by the United States government, or agency thereof, of the person from whom the material is obtained;
- The current address, gender, birth date, and a color photograph of the person from whom the material is obtained if not included or are different from the identification required in subdivision (1) of this subsection;

- The date, time, and place of the transaction;
- The license plate number of the vehicle used by the seller during the transaction;
- A full description of the material, including the weight and purchase price.

Anyone licensed under [Section 301.218](#), RSMo, who knowingly purchases a stolen detached catalytic converter shall be subject to the following penalties:

- For a first violation, a fine in the amount of five-thousand dollars;
- For a second violation, a fine in the amount of ten-thousand dollars; and
- For a third violation, revocation of the license for a business described under [Section 301.218](#), RSMo.

## **INSPECTION OF RECORDS**

[Section 301.225](#), RSMo, also requires each salvage business licensee to maintain a complete set of books, records, and files on motor vehicles/motor vehicle parts acquired for resale. They must be kept in the business office, at the registered location and be available during reasonable business hours for the inspection by appropriate law enforcement officials.

## PROOF OF OWNERSHIP FOR DEALERS

### **GENERAL INFORMATION**

[Section 301.200](#), RSMo, and [12CSR 10-26.050](#) require all dealers to have proof of ownership, proof the dealer has applied for a certificate of ownership, or proof that a prior lien has been satisfied by the dealer, on all motor vehicles or trailers in the dealer's possession. Proof of ownership must be maintained at the registered dealer location and available for inspection by appropriate law enforcement officials. Proof of ownership may be in the form of a:

- Certificate of title properly assigned to the dealer;
- Manufacturer's Statement of Origin (MSO) properly assigned to the dealer;
- Photocopy (front and back) of the certificate of title or MSO properly assigned to the dealer;
- Bill of sale indicating year, make, and vehicle identification number of the vehicle and dealer as purchaser; or
- An auto auction invoice or receipt indicating year, make, and vehicle identification number of the vehicle and dealer as purchaser.

### **SELLING NEW MOTOR VEHICLES**

#### **REQUIREMENTS**

Dealers selling new motor vehicles must be franchised with the manufacturer to sell each particular make. The dealer must submit a copy of the franchise agreement(s) with the dealer's application for registration. If the dealer enters into additional franchise agreement(s) during the year, copies of the agreement(s) must be immediately filed with Motor Vehicle Bureau, Dealer Licensing Section, PO Box 43, Jefferson City, Missouri 65105-0043.

Manufacturers of motor vehicles must issue franchise agreements to the dealers authorized to sell their makes of motor vehicles. The manufacturer must supply a Manufacturer's Statement of Origin (MSO) for each vehicle or vehicle body manufactured. A dealer should contact the Federal Department of Transportation for questions regarding assignment of vehicle identification numbers by calling 202-366-5302 or by fax at 202-493-0073.

#### **RESTRICTIONS**

When a dealer is listed as the purchaser on the Manufacturer's Statement of Origin for a vehicle they are not franchised to sell, the transaction is deemed a "first sale" of the vehicle. A non-franchised dealer cannot transfer ownership on the Manufacturer's Statement of Origin, the dealer must apply for a Missouri title in the dealership's name and pay the appropriate title fee. The vehicle is then deemed a **used** vehicle; it is unlawful for any dealer to hold forth, offer for sale, advertise, or sell such a motor vehicle as a **new** motor vehicle.

This does not apply to new manufactured homes or trailers. The Motor Vehicle Bureau performs a daily computer check to detect violations. Violations of [Section 301.568, RSMo](#), could result in the suspension of the dealer's license.

## **TRANSFERRING OWNERSHIP OF A MOTOR VEHICLE**

Section 301.210, RSMo, requires both parties (buyer and seller) to sign and complete a properly assigned certificate of ownership at the time of sale of a motor vehicle or trailer. **It is unlawful for any person or dealer to “skip” assignment or be in possession of an “open title”**. An “open title” is a title that has the seller’s signature in the title assignment area but the purchaser’s information is blank.

## **BUYING AND SELLING A VEHICLE WITHOUT TITLE**

Section 301.210, RSMo, allows a licensed motor vehicle dealer to deliver a motor vehicle or trailer to a purchaser with a written agreement to pass the certificate of ownership with an assignment to the purchaser within thirty days after delivery, inclusive of weekends and holidays. In such cases:

- The dealer must have a surety bond or irrevocable letter of credit on filed with the director of revenue in an amount not less than \$100,000; and,
- The dealer and the purchaser must have entered into a written agreement for the subsequent assignment and delivery of such certificate of ownership. The dealer must use the *Agreement for Delayed Delivery of Certificate of Ownership* ([Form 5830](#)) for purposes of complying with the written agreement requirement.

If the motor vehicle dealer does not pass the certificate of ownership with an assignment to the purchaser within 30 days, the sale shall be voidable at purchaser's option and, in such case, the dealer shall repurchase the vehicle by paying and satisfying, in full, any purchase money lien against the vehicle, including accrued penalties and fees, with the remainder of one hundred percent of the sale price refunded and paid by the dealer to the buyer. The term "**sale price**" shall include the negotiated price of the vehicle, the down payment, the trade-in allowance (even if the allowance reflected negative equity), and the price of all optional services and products sold to the buyer under the sales and finance transaction.

Section 301.213, RSMo, allows a licensed motor vehicle dealer to purchase or accept in trade any motor vehicle for which there has been a Missouri certificate of ownership issued although no such certificate of ownership is present at the time of the purchase or trade. This process does not apply to motor vehicles titled in another state.

In order to purchase or accept a vehicle without the title, the motor vehicle dealer must:

- Provide a surety bond or irrevocable letter of credit to the director of revenue in an amount not less than \$100,000;
- Have a signed written contract with the owner of the vehicle outlining the terms of the sale or acceptance in trade of such motor vehicle without transfer of the certificate of ownership;
- Have physical delivery of the vehicle; and
- Have a secure power of attorney from the owner authorizing the licensed dealer to obtain a duplicate or replacement title in the owner's name and sign any title assignments on the owner's behalf.
  - The power of attorney document required for this type of transaction must be a **secure** power of attorney. See *Secure Power of Attorney* ([Form 5086](#)).

Upon completion of all the requirements above, the sale or trade of the motor vehicle to the motor vehicle dealer shall be considered final, subject to any liens created and perfected under Sections 301.600 to 301.660, RSMo. Upon delivery of the motor vehicle to the motor vehicle dealer, the prior owner's insurable interest in the motor vehicle shall cease.

A motor vehicle dealer who purchases or accepts a motor vehicle for trade without a certificate of ownership as stated above may sell the motor vehicle prior to receiving and assigning the certificate of ownership to the purchaser if the motor vehicle dealer complies with the following:

- Receives proof of financial responsibility and proof of comprehensive and collision insurance coverage on the vehicle from the purchaser;
- Ensures all outstanding liens created on the vehicle pursuant to [Sections 301.600 to 301.660](#), RSMo, have been paid in full;
- The dealer has obtained proof or other evidence from the Department of Revenue confirming that no outstanding child support liens exist upon the vehicle at the time of sale;
  - The child support lien database can be found at the following website
  - Search the child support database using the vehicle's VIN. If no match is found print the screen which indicates "No Rows to Display".
  - If a VIN match is found, ownership cannot be transferred until the lien has been satisfied.
- The dealer has obtained proof or other evidence from the Department of Revenue confirming that all applicable state sales tax has been satisfied on the sale of the vehicle to the previous owner;
- The dealer and the purchaser have entered into a written agreement for the subsequent assignment and delivery of such certificate of ownership. The dealer must use *Motor Vehicle Dealer Written Agreement To Sell Without Title* ([Form 5620](#)) for purposes of complying with the written agreement requirement;
- The dealer has applied for a duplicate certificate of ownership in the previous owner's name; and
  - Although the dealer must apply for a duplicate title in the previous owner's name, the dealer **MUST** apply for the duplicate title no more than ten days after acquiring the vehicle from the previous owner.
- The dealer must assign and deliver the duplicate certificate of ownership within five business days of receiving the duplicate certificate of ownership and no more than 60 calendar days after delivery of the motor vehicle.
  - A dealer shall be deemed to have delivered the certificate of ownership to the purchaser upon either physically giving the certificate of ownership to the purchaser or by mailing the certificate of ownership with postage prepaid and return receipt requested to the address identified in the contract with the purchaser.

At the time the motor vehicle is delivered, the dealer must provide the following documentation to the purchaser:

- A copy of the completed *Motor Vehicle Dealer Written Agreement To Sell Without Title* ([Form 5620](#));
- A notarized lien release for any lien perfected on the vehicle by the previous owner's lienholder;
- A copy of the contract for sale of the vehicle;
- A copy of the duplicate title application;
- A copy of the secure power of attorney from the previous owner to the dealer;
- Proof or other evidence from the Department of Revenue confirming that no outstanding child support liens exist upon the vehicle at the time of sale; and
  - The child support lien database can be found at the following website.  
<https://dor.mo.gov/motorv/childlien/>
  - Search the child support database using the vehicle's VIN. If no match is found print the screen which indicates "No Rows to Display".

- If a VIN match is found, ownership cannot be transferred until the lien has been satisfied.
- Proof or other evidence from the Department of Revenue confirming that all applicable state sales tax has been satisfied on the sale of the vehicle to the previous owner.

The completion of these requirements shall constitute *prima facie* evidence of an ownership interest vested in the purchaser of the vehicle for all purposes other than for a subsequent transfer of ownership of the vehicle by the purchaser, subject to the rights of any secured lienholder of record. However, in the event that such vehicle has been declared salvage or a total-loss by an insurance company, the purchaser may use the dealer-supplied copy of the agreement to transfer his or her ownership as a result of a settlement of a claim. Such insurance company may apply for a salvage certificate of title or junking certificate pursuant to the provisions of subsection 3 of [Section 301.193](#), RSMo, in order to transfer its interest in such vehicle. If a dealer fails to provide a properly assigned title in accordance with [Section 301.213](#), RSMo, and the purchaser of the vehicle is thereby damaged, the dealer shall be liable to the purchaser of the vehicle for actual damages, plus court costs and reasonable attorney fees.

The purchaser may also use the dealer-supplied copy of the *Motor Vehicle Dealer Written Agreement to Sell without Title* ([Form 5620](#)) as proof of ownership interest. Any lender or insurance company may rely upon a copy of the signed written agreement as proof of ownership interest. Any lien placed upon a vehicle based upon such signed written agreement shall be valid and enforceable, notwithstanding the absence of a certificate of ownership.

If the dealer cannot be found by the purchaser after making reasonable attempts, or if the dealer fails to assign and deliver the duplicate or replacement certificate of ownership to the purchaser by the date agreed upon by the dealer and the purchaser, then the purchaser may deliver the following to the director of revenue:

- A copy of the contract for sale of the vehicle;
- A copy of the application for duplicate title provided by the dealer to the purchaser;
- A copy of the secure power of attorney allowing the dealer to assign the duplicate title; and
- A copy of *Motor Vehicle Dealer Written Agreement to Sell Without Title* ([Form 5620](#)) negotiated between the purchaser and the dealer.

The director shall mail by certified mail, return receipt requested, a notice to the dealer at the last address given to the Department by that dealer. That notice shall inform the dealer that the director intends to cancel any prior certificate of title which may have been issued to the dealer on the vehicle and issue to the purchaser a certificate of title in the name of the purchaser, subject to any liens incurred by the purchaser in connection with the purchase of the vehicle, unless the dealer, within ten business days from the date of the director's notice, files with the director a written objection to the director taking such action. If the dealer does file a timely, written objection with the director, then the director shall not take any further action without an order from a court of competent jurisdiction. However, if the dealer does not file a timely, written objection with the director, then the director shall cancel the prior certificate of title issued to the dealer on the vehicle and issue a certificate of title to the purchaser of the vehicle, subject to any liens incurred by the purchaser in connection with the purchase of the vehicle and subject to the purchaser satisfying all applicable taxes and fees associated with registering the vehicle.

If a seller misrepresents to a dealer that the seller is the owner of a vehicle and the dealer, the owner, any subsequent purchaser, or any prior or subsequent lienholder is thereby damaged, then the seller shall be liable to each such party for actual and punitive damages, plus court costs and reasonable attorney fees.

When a lienholder is damaged as a result of a licensed dealer's acts, errors, omissions, or violations of [Section 301.213](#), RSMo, then the dealer shall be liable to the lienholder for actual damages, plus court costs and reasonable attorney fees.

A dealer's repeated or intentional violation of [Section 301.213](#), RSMo, may be cause to suspend, revoke, or refuse to issue or renew any license required pursuant to [Sections 301.550 to 301.580](#), RSMo, in addition to the causes set forth in [Section 301.562](#), RSMo. The hearing process shall be the same as that established in subsection 6 of [Section 301.562](#), RSMo.

Participating dealers must provide the Department of Revenue with a copy all completed *Motor Vehicle Written Agreement to Sell without Title* ([Form 5620](#)). Email the completed forms to [dealerlic@dor.mo.gov](mailto:dealerlic@dor.mo.gov).

Dealers who have filed the \$100,000 surety bond or irrevocable letter of credit for the purpose of selling a motor vehicle without a title pursuant to [Section 301.210](#), RSMo, may also be eligible to issue a 60-day temporary permit for such vehicles. See [Section 21](#) for more information regarding temporary permits.

## **RESCINDED SALES**

[Section 144.071](#), RSMo, permits a purchaser of a motor vehicle, trailer, vessel (watercraft), or outboard motor who rescinds the sale to receive a full refund of all state and local taxes paid on purchase price of the unit. Purchaser must return the unit to seller within 60 days of purchase to receive a refund of the purchase price. ***Related titling, processing, and registration fees will not be refunded.*** Legislation allows a vehicle owner to surrender the license plate(s) and receive credit for time remaining towards purchase of another license plate(s) regardless of the type of license (e.g., passenger, truck or trailer). To receive a refund of applicable taxes, purchaser must submit:

- A *Motor Vehicle Refund Request Application* ([Form 426](#)) completed and signed;
- The original receipt showing payment of taxes;
- Attachment signed by the seller and the purchaser, stating date the vehicle/trailer/vessel/motor was returned, year, make, vehicle identification number, the facts/reason for the rescinded sale and amount of purchase price refunded; and
  - A descriptive notarized lien release/non-interest statement from any lienholder shown. The statement must include the purchaser's name and the year, make, and identification number of the unit.
  - Each claim for a rescinded sale refund must be made within one year after payment of the tax on which the refund is claimed.

### **When Seller Must Apply for Title on a Rescinded Sale**

When a certificate of title is assigned to a purchaser and sale is rescinded, the assigned certificate of title is considered mutilated.

### **Non-Dealer as Seller**

If seller is not a dealer, they must apply for a duplicate title by submitting the following:

- Application for duplicate title;
- Original assigned title
- Statements signed by purchaser, seller, and if applicable, lienholder acknowledging that the sale has been rescinded;
- Appropriate title fee; and
- Appropriate processing fee.

## **Dealer as Seller**

If a licensed dealer assigned a title to someone who later rescinds the sale, the dealer must apply for an original title. If the unit was sold on a Manufactured Statement of Origin (MSO), the dealer can reassign the MSO to the new purchaser. Dealer must submit:

- Application for original title;
- Original assigned title
- Statements signed by purchaser, seller, and if applicable, lienholder acknowledging that the sale has been rescinded;
- Appropriate title fee; and
- Appropriate processing fee.

If a certificate of title has already been issued in the name of the purchaser who wants to rescind the sale, the purchaser must properly assign the title to the seller and provide seller with appropriate statements rescinding the sale. If original seller is not a dealer, he or she must apply for title within 30 days to avoid a title penalty.

## **DUPLICATE MANUFACTURER'S STATEMENT OF ORIGIN (MSO)**

Some manufacturers do not issue a duplicate Manufacturer's Statement of Origin once the original has been assigned and delivered to a retail customer. Instead, the manufacturer furnishes a statement to the selling dealer certifying the vehicle was sold to the dealership.

The manufacturer's statement will be accepted in lieu of a duplicate Manufacturer's Statement of Origin. The selling dealer could complete a *Reassignment of Ownership by Registered Dealer* ([Form 2447](#)) or provide a copy of the front and back of the original assigned MSO and attach it to the manufacturer's statement. These two documents will serve as proof of ownership and proper odometer disclosure for title applicant.

## **REASSIGNMENT OF OWNERSHIP BY A REGISTERED DEALER (RIDERS)** **(SECTION 301.200, RSMo)**

A *Reassignment of Ownership by Registered Dealer* ([Form 2447](#)) is a secure document issued by the Director of Revenue in accordance with [Section 301.200](#), RSMo, provides registered Missouri dealers (not out-of-state dealers) one additional assignment as an extension of the ownership document. See [12 CSR 10-23.434](#) for information regarding who may use a rider form and when a rider form may be used.

Riders may be used with a Missouri certificate of title, Manufacturer's Statement of Origin, or an out-of-state certificate of title. Only one original rider may be used with each transaction. Applicants must retain a photocopy of Form 2447 for their records. ***A Missouri dealer may not attach a rider to a Missouri or out-of-state salvage title.***

Riders are issued at no cost in books of 50. Riders may be obtained by calling 573-526-3669, Option 7, emailing [dealerlic@dor.mo.gov](mailto:dealerlic@dor.mo.gov), or by submitting a written request to Missouri Department of Revenue, Motor Vehicle Bureau, Dealer Licensing Section, PO Box 43, Jefferson City, Missouri 65105-0043. When contacting the Department, be sure to include the following:

- Dealership name and address;
- Dealer license number; and
- Quantity of books requested.

## Completing the Rider

All fields on the rider must be completed. In the purchaser(s) and seller(s) name blocks, **one** purchaser and **all** sellers **must physically hand print their names**. The dealer must **legibly** hand print the name of the dealership, agent's name and their title/position in the company when the dealer

is purchaser or seller. One purchaser and all sellers must also sign the form in the designated areas. The **original** [Form 2447](#) must be submitted, but the dealer must retain a photocopy for their records.

## **CONSIGNMENT SALES**

When a dealer sells any unit on consignment for an individual, they must adhere to one of the following procedures:

- Individual must assign ownership document to the dealer. **The dealer can then demonstrate the unit using their dealer license plates or placards.** Dealer can assign the ownership document to purchaser and make a proper odometer disclosure as in any other sale the dealer makes, if applicable.
- Individual must provide the dealer a copy of ownership document and written authorization to offer the unit for sale. **Dealer cannot use dealer license plates or placards on the unit.** **Dealer must use the owner's current registration.** If an accident occurs, owner of the unit, **not the dealer**, may be held financially responsible. When actual sale takes place, owner must assign ownership document directly to the purchaser and provide an odometer disclosure, if applicable.

## **INFORMATION FOR AUCTIONS AND DEALERS SELLING AT AUCTIONS**

If an auctioneer is conducting business with both buyer and seller present, the seller must assign title directly to buyer. The seller must list purchaser's name in the assignment area. The seller may not leave purchaser's name blank, as this constitutes an open title. The seller must disclose mileage to the buyer, except on an exempt vehicle. The auctioneer becomes a transferor (seller) if they buy a vehicle and later auctions it. If auctioneer is acting as consignee for a seller who is not present, the seller must execute a regular power of attorney authorizing auctioneer to make the disclosure.

- If a dealer brings a motor vehicle to an auction, but is not present at time of sale, the following must be followed:
  - If a title is involved, seller should give the auction a power of attorney and title document;
  - Representative of the auction should complete title assignment on behalf of the seller. The purchaser(s) must print and sign their name(s) in the designated area for odometer disclosure, if applicable;
  - The auction must provide the dealer with copies of the front and back of the title and supporting documents;
  - The representative of the auction cannot sign as seller and purchaser for the same transaction; and
  - When reporting the sale on dealer's monthly report, dealer must list the actual purchaser not the auto auction.

## **AUCTIONS – RECORDS REQUIRED**

Auction companies are required to record and maintain in their files for five years:

- The name(s) of the seller(s) and purchaser(s);
- Vehicle identification number; and
- Odometer reading on date the auction took possession of the unit.
  - If the auction sells more than six cars within a 12-month period as transferor (seller) or

transferee (purchaser), the auction must retain a copy of every odometer disclosure statement they issue and receive.

## LEASE RENTAL LICENSE REQUIREMENTS

### **WHO IS REQUIRED TO BE LICENSED AS A LEASE RENTAL COMPANY?**

A lease rental company must register with the Department and obtain a lease rental license, if the company chooses to collect and remit all applicable taxes on the amount charged for each rental or lease agreement while the motor vehicle, trailer, vessel (watercraft), or outboard motor is domiciled in this state, instead of paying the taxes due at the time of titling the units. If the lease rental company elects to pay taxes at the time of titling, a license is not required.

A LEASE RENTAL COMPANY THAT ELECTS TO COLLECT TAXES ON THE LEASE OR RENTAL PROCEEDS MUST EXERCISE THIS TAX OPTION ON ALL UNITS PURCHASED FOR LEASE OR RENTAL PURPOSES.

### **HOW DO I APPLY FOR A LICENSE?**

The Department will issue a Lease Rental License to all leasing company applicants upon approval of their application. All Lease Rental Licenses expire on December 31<sup>st</sup> every two years.

Any company or corporation wanting to operate as a motor vehicle/marinecraft leasing company may apply online at [MyDMV.mo.gov](http://MyDMV.mo.gov).

Be prepared to submit the following documents:

- If applying for a Lease and Rental Fleet license, a corporate or surety bond ([Exhibit D](#)) or irrevocable letter of credit ([Exhibit E](#)) in the amount of \$100,000;
- Applicable fees.

The above requirements are further explained in the pages that follow.

You may also submit the above requirements, along with an *Application for Permit to Operate as a Motor Vehicle/Marinecraft Leasing Company* ([Form 901](#)), to the address listed on [Form 901](#).

**Lease and Rental Fleet Companies may only apply for plate inventory by mail using [Form 901](#).**

### **COMPLETING THE APPLICATION FOR PERMIT TO OPERATE AS A MOTOR VEHICLE/MARINECRAFT LEASING COMPANY**

***All incorrect or incomplete applications will be rejected.***

#### **ORGANIZATION INFORMATION**

- Business Name- The complete business name must be shown, if you are a corporation, partnership, or individual doing business under another name (DBA), record your legal name in the Business Name area and your DBA name in the DBA Name area.
- Enter the registration number on file with the Missouri Secretary of State's Office. All companies and corporations doing business in the state of Missouri, with the exception of national and state charter banks and federal credit unions, must be registered with the

Missouri Secretary of State's Office. If a company or corporation is not currently registered, it should contact the Missouri Secretary of State's Office by mail at Secretary of State Office, Corporation Division, James C Kirkpatrick State Office Building, 600 West Main Street, Jefferson City, MO 65102 or by phone at 573-751-4153.

- Enter the Missouri Retail Sales Tax Number.

## **CONTACT INFORMATION**

Business telephone number and email address - Provide your business telephone number and email address. Also include a contact person and their telephone number.

## **LICENSE OPERATIONS**

Operation Type - Refer to definitions in [Section 2](#) to determine the appropriate type of business operations.

## **AFFILIATED LICENSES**

Make the appropriate selection and enter any required information. When applying online, click the blue plus sign (+) in the right hand corner of the banner to enter additional license information, if applicable.

## **PHYSICAL ADDRESS**

The complete business address must be shown.

## **MAILING ADDRESS**

Enter a mailing address if different from physical address.

## **BOND OR ILC**

You must have a corporate surety bond or Irrevocable Letter of Credit (ILC) in the amount of \$100,000. Select the type of bond. Enter the information as requested. When applying online, click on the plus sign (+) to add an additional bond, if your bond will expire before your license expires (only applicable for Lease and Rental Fleet companies).

## **BRANCHES**

Add branch addresses as applicable. When applying online, click on the plus sign (+) to add additional branches and addresses.

## **OWNER INFORMATION**

Enter complete owner information. When applying online, click on the plus sign (+) in the right corner of the green banner to add additional owners if applicable.

## **CORPORATE STRUCTURE**

[Section 144.070](#), RSMo, permits a corporation to have one or more of its divisions be separately authorized by the director of revenue to operate as a leasing company, provided the corporation:

- Is authorized to do business in Missouri;
- Has agreed to treat any sale of a motor vehicle, trailer, vessel (watercraft) or outboard motor from one of its divisions to another of its divisions as a sale at retail within the meaning of Subdivision (9) of Subsection 1 of [Section 144.010](#), RSMo;
- Has registered each of the divisions doing business in Missouri as a leasing company under the fictitious name provisions of [Sections 417.200 to 417.230](#), RSMo; and
- Operates each of its divisions on a basis separate from each of its other divisions.

## **Parent Organization**

Enter the required Parent Organization information, if applicable.

## **Corporate Divisions**

Enter the required Corporate Divisions information, if applicable.

## **SIGNATURE**

The application must be signed by a business owner, partner, or principal officer.

## **FEES**

- Licensure Fee
  - \$500 biennial fee for lease rental registration.
- Fleet Plates Fees (Lease and Rental Fleet only)
  - \$845 fee for the first ten biennial fleet plates (includes processing fee); and
  - \$84.50 fee for each additional biennial fleet plate (includes processing fee).

**NOTE: Lease and Rental Fleet Companies must apply for plate inventory, by mail, using [Form 901](#).**

## **ADDITIONAL LEASE AND RENTAL FLEET PLATE FEES**

If you wish to obtain additional Lease and Rental Fleet plates, you must submit an *Application for Permit to Operate as a Motor Vehicle/Marinecraft Leasing Company* ([Form 901](#)). **Fees are prorated after January 31<sup>st</sup>, as shown in the following chart (processing fees included):**

<b>Application Month</b>	<b>Number of months</b>	<b>Fee</b>
January	24	\$84.50
February	23	\$81.50
March	22	\$78.50
April	21	\$75.50
May	20	\$72.50
June	19	\$69.50
July	18	\$66.50
August	17	\$63.50
September	16	\$60.50
October	15	\$57.50
November	14	\$54.50
December	13	\$51.50
January	12	\$42.50
February	11	\$39.50
March	10	\$36.50
April	9	\$33.50
May	8	\$30.50
June	7	\$27.50
July	6	\$24.50
August	5	\$21.50
September	4	\$18.50
October	3	\$15.50
November	2	\$12.50
December	1	\$9.50

Enclose a check or money order made payable to the **Missouri Department of Revenue** and mail to:

Motor Vehicle Bureau  
Dealer Licensing Section  
PO Box 43  
Jefferson City, Missouri 65105-0043

The Missouri Department of Revenue may electronically resubmit checks returned for insufficient or uncollected funds.

### **CANCELLATION OR DENIAL OF A LEASE RENTAL LICENSE**

The director of revenue may deny an application for or recall any license to operate as a lease rental company, if it is determined that the applicant:

- Fraudulently completed the application for registration;
- No longer holds a valid Missouri Sales Tax License Number; or
- Is no longer properly registered with the Missouri Secretary of State's Office.

### **TERMINATION OF A LEASE RENTAL COMPANY**

A lease rental company registered with the director of revenue pursuant to [Section 144.070](#), RSMo, that ceases to operate as a lease rental company in accordance with the law or the rules and regulations established by the director of revenue, must notify the director of revenue within 10 days of ending the operation.

### **DEALERS LICENSED AS A LEASE RENTAL COMPANY**

When a motor vehicle dealer is also licensed as a lease rental company, the businesses must operate as two separate entities for titling and record-keeping requirements. For example, a dealership may title a motor vehicle in the dealership's name and claim a sales tax exemption (Exemption 3) because the vehicle was purchased for resale.

However, if the dealer later decides to lease the vehicle, an assignment must be made, and a new title obtained, transferring ownership from the dealership name to the lease rental company name. The new title will reflect a sales tax exemption (Exemption 12) indicating the vehicle was purchased for lease/rental purposes. This transfer/sale must be reported on the dealer's monthly sales report to the Motor Vehicle Bureau. To avoid confusion, **the dealership and lease rental company should be registered under two different names**, e.g., "John's Auto Sales" for the dealership and "John's Auto Leasing" for the lease rental company. One sales tax license is sufficient if the lease rental company is also registered as a dealer.

***NOTE: Vehicles titled in the name of the lease/rental company may not display dealer license plates.***

# TITLE SERVICE BUSINESS LICENSE REQUIREMENTS

## **WHO IS REQUIRED TO BE LICENSED AS A TITLE SERVICE?**

You must be licensed as a Title Service if you act as an agent for a fee in obtaining a certificate of ownership of a motor vehicle.

## **HOW DO I APPLY FOR A LICENSE?**

All title services expire July 1 of each year. Missouri law provides for no “grace period.”

To apply for a license as a Title Service, go to [MyDMV.mo.gov/mv](http://MyDMV.mo.gov/mv) and click on “Motor Vehicle Business Licensing”.

Be prepared to upload the following documents in a TIFF or PDF format:

- Proof of registration with the Secretary of State's Office (certificate of incorporation or fictitious name registration);
- A corporate surety bond in the amount of \$25,000; and
- A completed criminal record, which the business obtains from the Missouri State Highway Patrol or the agency responsible for criminal records in the owner's state of residency;

You may also submit the above requirements, along with a completed [Application for Title Service Certificate of Registration \(Form 2509\)](#), to the address listed on the [Application for Dealer, Auction, or Manufacturer License and Number Plate\(s\) \(Form 4682\)](#).

***All incorrect or incomplete applications will be rejected.***

## **ORGANIZATION INFORMATION**

**Business Name** - The complete business name must be shown, if you are a corporation, partnership, or individual doing business under another name (DBA), record your legal name in the Business Name area and your DBA name in the DBA Name area.

**Registration Number** - Enter the registration number on file with the Missouri Secretary of State's Office. All companies and corporations doing business in the state of Missouri, with the exception of national and state charter banks and federal credit unions, must be registered with the Missouri Secretary of State's Office. If a company or corporation is not currently registered, it should contact the Missouri Secretary of State's Office by mail at Secretary of State Office, Corporation Division, James C Kirkpatrick State Office Building, 600 West Main Street, Jefferson City, MO 65102 or by phone at 573-751-4153.

## **CONTACT INFORMATION**

Provide your business telephone number and email address. Also include a contact person and their telephone number.

## **PHYSICAL ADDRESS**

The complete business address must be shown.

## **MAILING ADDRESS**

Enter a mailing address if different from the physical address.

## **BOND OR ILC**

You must have a corporate surety bond in the amount of \$25,000. Enter the information as requested. Click on the plus sign (+) to add an additional bond, if your bond will expire before your license expires.

## **OWNER INFORMATION**

Enter complete owner information, click on the plus sign (+) in the right corner of the green banner to add additional owners if applicable.

## **BACKGROUND CHECK INFORMATION**

A criminal record is required for each owner listed on the title service business license application and must have been issued within six months of the issuance or renewal of the title service business license, click the plus sign (+) to upload additional background check records.

When ***renewing or obtaining your initial Missouri Title Service Business License***, you must obtain a criminal record utilizing the Missouri State Highway Patrol's Missouri Automated Criminal History Site (MACHS). This site can be accessed at <https://www.machs.mshp.dps.mo.gov/MACHSFP/home.html> or via link on the Department of Revenue's dealer website at <https://mydmv.mo.gov/businesslicensing/BusinessLicense/AppStatus>.

Upon registering with MACHS, you will be prompted to create a personal account. Following the submission of your record check request, the response will be returned directly to your MACHS account that you created. Your response may be returned almost instantaneously; however, some results may take several days depending on processing workloads. **NOTE:** A title service business may set up one account and request multiple record checks under this one account.

To avoid a delay in obtaining a title service business license, it is very important that the owner begin this process as soon as possible in order to have the criminal record when sending in license renewal documentation or initial licensing documentation.

Be sure to check your MACHS account frequently as MACHS will only retain the criminal record results for 30 days. After 30 days, MACHS will archive the results and a new criminal record request must be submitted with additional payment.

Record check results should be retrieved from your account and provided with your renewal application.

Points to remember:

- A name-based criminal history record is required for each owner listed on the title service business license application and must have been issued within six months of the issuance or renewal of the dealer license.
- The web address for the MACHS system is:  
<https://www.machs.msdp.dps.mo.gov/MACHSFP/home.html>
- Choose the option “Click Here to Access the MACHS Name Search Portal to conduct a background check by Name, Date of Birth, or Social Security Number.”

If any of the owners, partners, or principal officers is a resident of a state other than Missouri, you must submit a current background check from the Highway Patrol or Background Investigation Bureau in the state in which they reside.

## **FEES**

There is an annual \$50 licensure fee.

## **RECORD KEEPING REQUIREMENTS**

Section 301.116, RSMo, requires each title service agent to maintain records for three years. The records must contain the following information:

- Date of application of certificate of title of vehicles;
- Name and address of the owner;
- Name of the manufacturer;
- Vehicle identification number and year of manufacture;
- Style of vehicle;
- Odometer setting.

Any record shall be open to inspection by any authorized representative of the department, member of the Missouri highway patrol or any authorized peace officer during reasonable business hours.

## **DISCIPLINARY ACTION**

### **Refusal to Issue or Renew License**

The Department may refuse to issue or renew any license under Sections 301.112 to 301.119, RSMo, for one or any combination of causes stated below:

- The license was fraudulently procured or erroneously issued;
- The applicant (or any partner or principal officer of the applicant, if a partnership or corporation) has failed to comply with the laws of this state relating to certificate of title of vehicles; or
- The license is not prominently displayed.

Any person who violates any provision of Sections 301.112 to 301.119, RSMo, is guilty of a class A misdemeanor.

The Department shall notify the applicant or licensee in writing, at his or her last known address, of the reasons for refusal to issue or renew the license. The notification will advise the applicant or licensee of the right to file a complaint with the AHC, as provided by Chapter 621, RSMo.

# TRANSPORTATION NETWORK COMPANY (TNC)

## Who is Required to be a Licensed as a TNC?

Any corporation, partnership, sole proprietorship, or other entity that uses a digital network to connect TNC riders to TNC drivers who provide prearranged rides. A TNC shall not be deemed to own, control, direct, operate, or manage the TNC vehicles or TNC drivers that connect to its digital network.

## How do I Apply For a License?

- Complete an online TNC business license application through [mydmv.mo.gov](http://mydmv.mo.gov);
- Provide an electronic copy of the privacy policy (PDF or TIFF) in accordance with [Section 387.425](#), RSMo; and
- Pay an annual license fee of \$5,000.

**NOTE:** This annual fee covers all TNC drivers affiliated with the TNC. There is no per-driver or per-vehicle fee.

## How do I Renew my License?

To **renew** a business license through the Department, the TNC must:

- Complete an online TNC business license application through the [MyDMV.mo.gov](http://MyDMV.mo.gov) website;
- Submit an updated privacy policy ***if it is different from the privacy policy already on file with the Department***, and
- Pay the annual license fee of \$5,000.

## HOW TO REPORT A DRIVER

As required by [Section 387.436](#), RSMo, a TNC must report a driver to the Department if that driver:

- Has been convicted of a violation of [Section 577.010](#) or [577.012](#), RSMo, fraud, a sexual offense, use of a motor vehicle to commit a felony, an offense involving property damage, theft, an act of violence, or in an act of terror;
- No longer maintains the minimum motor vehicle financial responsibility required to be carried under [Chapter 303, RSMo](#); or
- Has been involved in a traffic accident or incident that resulted in serious bodily injury or a fatality.

This information will be available for viewing by all other TNCs and is exempt from disclosure under [Chapter 610, RSMo](#).

## VIOLATION(S)/ASSESSMENT(S)

Violations of [Section 387.439](#), RSMo may be discovered in the audit or complaint process outlined in [Section 387.440](#), RSMo.

The TNC is subject to incremental fines, and could be subject to a 30-day-per-violation suspension of their TNC business license. Each suspension will become effective on the first of the month following

receipt of notification and shall end on the last day of that same month. If multiple violations are reported, suspensions will run consecutively.

Fines will be assessed by the auditing authority and a copy of the fine assessment will be provided to the Department. The TNC may appeal this assessment to the Department by filing a request for hearing by written correspondence—whether paper or electronic—or telephone call. This appeal process is outlined in [12 CSR 10-23.600](#).

Fine payments received by the Department will be deposited and the money distributed to school funding in accordance with [Article IX, Section 7 of the Missouri Constitution](#).

## **CONSUMER COMPLAINTS**

Complaints received by the Department will be evaluated to ensure the complaint is not in regard to falsification or misrepresentation of an application for a TNC license. Such complaints should be forwarded to management for review. After review, the complaint will either be handled by the Department or forwarded to the appropriate entity, including the TNC, the Attorney General's Office, or the state or local agency or agencies having jurisdiction over the subject matter of the complaint.

Complaints in regard to scheduling, fares, or drivers should be referred back to the TNC.

## **DEFINITIONS (Section 387.400, RSMo)**

**DIGITAL NETWORK** – Any online-enabled technology application, website, or system offered or utilized by a Transportation Network Company (TNC) that enables the prearrangement of rides with TNC drivers.

**PREARRANGED RIDES** – The provision of transportation by a TNC driver to a rider, beginning when a TNC driver accepts a ride requested by a rider through a digital network controlled by a TNC, continuing while the TNC driver transports a requesting rider, and ending when the last requesting rider departs from the TNC vehicle.

**TRANSPORTATION NETWORK COMPANY (TNC)** – A corporation, partnership, sole proprietorship, or other entity that is licensed pursuant to [Sections 387.400 to 387.440](#), RSMo, and operating in the state of Missouri, that uses a digital network to connect TNC riders to TNC drivers who provide prearranged rides. A TNC shall not be deemed to own, control, direct, operate, or manage the TNC vehicles or TNC drivers that connect to its digital network, except where agreed to by written contract.

**TRANSPORTATION NETWORK COMPANY DRIVER** – An individual who receives connections to potential riders from a TNC in exchange for payment of a fee to the TNC and uses a TNC vehicle to offer or provide a prearranged ride to riders upon connection through a digital network controlled by a TNC in return for compensation.

**TRANSPORTATION NETWORK COMPANY RIDER** – An individual or persons who use a TNC's digital network to connect with a TNC driver who provides prearranged rides to the rider in the TNC driver's TNC vehicle between points chosen by the rider.

**TRANSPORTATION NETWORK COMPANY VEHICLE** – A vehicle that is used by a TNC driver and is owned, leased, or otherwise authorized for use by the TNC driver; and not a taxicab, limousine, or for-hire vehicle under [Chapter 390](#), RSMo.

## DRIVEAWAY COMPANY LICENSE PLATES

### **WHO IS ALLOWED DRIVEAWAY PLATES?**

Driveaway license plates are issued to a Missouri businesses engaged in transporting vehicles not owned by the business. Driveaway license plates may not be used by tow truck operators. **Trailer dealers may purchase one driveaway plate to display on a motor vehicle taken in on trade for demonstration purposes.**

### **EXAMPLES OF BUSINESSES ISSUED DRIVEAWAY LICENSE PLATES:**

- Auto detail business;
- Commercial transport business; or
- Auto repair business.

### **REQUIRED DOCUMENTS**

- Application for Driveaway Plate(s) and Permit ([Form 2277](#));
- Photographs, not to exceed eight inches by ten inches but no less than five inches by seven inches, of the business building and the business sign; and
- Proof of financial responsibility to cover each vehicle operated on the roads.

### **FEES**

- \$44.50 per one-year plate, plus \$6 processing fee; and
- \$89 for two-year plate, plus \$12 processing fee.
  - Fee(s) are not prorated.
- \$8.50 for replacement plate or tab plus \$6 processing fee, if applicable.
- If police report is submitted, the \$8.50 fee will be waived. The \$6 processing fee may still apply.

### **USE OF PLATES**

- Driveaway license plates shall only be issued to a Missouri business and shall only be used by owners, corporate officers, or employees of the business to which the plates were issued.
- Applicants may use driveaway license plates only for the following types of operations:
  - The movement of a motor vehicle or trailer by any person or motor carrier other than a dealer over any public highway, under its own power singly, or in a fixed combination of two or more vehicles, for the purpose of delivery for sale or for delivery either before or after sale;
  - The movement of any vehicle or vehicles, not owned by the transporter, constituting the commodity being transported, by a person engaged in the business of furnishing drivers and operators for the purpose of transporting vehicles in transit from one place to another by the driveaway or towaway methods; or
  - The movement of a motor vehicle by any person who is lawfully engaged in the business of transporting or delivering vehicles that are not the person's own and vehicles of a type otherwise required to be registered, by the driveaway or towaway

methods, from a point of manufacture, assembly or distribution or from the owner of the vehicles to a dealer or sales agent of a manufacturer or to any consignee designated by the shipper or consignor.

- Driveaway plates are not allowed on tow trucks.

Examples of legitimate driveaway operations include, but are not limited to, the following:

- A business that does auto detailing picks a vehicle up from a dealer and drives it to the auto detailing business to be detailed and returns the vehicle to the dealership;
- A commercial transport business drives a commercial truck from the manufacturer to a dealer (in this case the transport business must be a separate business from the dealership);
- A commercial transport business drives a commercial truck from a dealer to a new purchaser (in this case the transport business must be a separate business from the dealership);
- An auto repair business contracts with a dealer, an employee of the repair business can use a driveaway plate to drive the vehicle from the dealership to the auto repair business and back.

This multi-year license plate is issued as a one or two-year registration and expires December 31.

Submit applications or refer inquiries to:

Missouri Department of Revenue

PO Box 43

Jefferson City, MO 65105-0043;

573-526-3669, option 7; or

[dealerlic@dor.mo.gov](mailto:dealerlic@dor.mo.gov).

## REPOSSESSED PLACARDS

Section 301.144, RSMo, provides that repossessed placards may be issued to insurance companies, finance companies, banks, or trust companies who repossess motor vehicles or trailers. The repossessed placard must be displayed on the rear of the motor vehicle or trailer and shall only be used for demonstration purposes. The original owner's license plates cannot be used to operate the vehicle.

To obtain a repossessed placard, you must submit:

- An *Application for Repossessed Placards* ([Form 2510](#)) completed and signed:
  - The application must indicate the legal business name of the applicant (a repossessed placard will not be issued in an individual's name);
  - The complete business address must be shown; and
  - The applicant must sign the application and indicate his or her official position in the company.
- A signed statement certifying Missouri financial responsibility; and
- \$50 original placard fee or \$10.50 for each additional placard requested.

If a repossessed placard is lost, stolen, mutilated, or destroyed, the holder may apply for a replacement repossessed placard and pay the required replacement fee of \$8.50 per placard. The *Application for Repossessed Placards* ([Form 2510](#)) must be completed as follows:

- In addition to all owner information, the reason for replacement repossession placard(s) must be shown.
- The placard number(s) to be replaced must be shown.
- The applicant's signature must be properly notarized. The notary information must contain the date notarized, date commission expires, notary's signature, and seal impression.

Applications for Repossessed Placards must be sent to the Motor Vehicle Bureau, Dealer Licensing Section, PO Box 43, Jefferson City, Missouri 65105-0043. Allow two weeks for delivery of the original or replacement repossessed placards.

# DEALER EDUCATIONAL SEMINAR PROVIDER

## **Who is Required to be a Licensed Dealer Educational Seminar Provider?**

Section 301.560, RSMo and [12 CSR 10-26.210](#), states you must be a licensed seminar provider if you are in the business of providing training to used motor vehicle dealers.

## **How Do I Apply For a License?**

To become a dealer educational seminar provider, you must submit by September 1, each year:

- An *Application for Dealer Educational Seminar Certification* ([Form 5110](#)) completed and signed;
- On the initial application, provide a copy of the manual that will be used during the training.

The training manual must include the following:

- The curriculum must include a minimum of four hours of instruction and provide detailed training regarding compliance with:
  - [Sections 301.550 to 301.573](#), RSMo and all rules promulgated by the Department to implement, enforce, and administer these statutes;
  - Federal Trade Commission's Used Car Rule;
  - Federal Privacy Protection requirements under the Gramm-Leach-Bliley Act;
  - Truth-in-Lending requirements;
  - Equal Credit Opportunity Act;
  - The United States of America Patriot Act;
  - Federal and state laws and regulations regarding deceptive and unfair trade practices;
  - Uniform Commercial Code regulations;
  - U. S. Treasury Department rules and cash reporting requirements; and
  - Any other federal or state laws regulating the business of selling and financing motor vehicles.

The seminar provider must meet the following requirements:

- A seminar provider must be a recognized business or school with a lawful presence in the state of Missouri and with demonstrable experience in providing professional education, including consumer protection laws, to used motor vehicle dealers.
- A seminar provider must have:
  - A minimum of two instructors meeting departmental requirements with the knowledge and capability to conduct the required seminar curriculum. A list of certified instructors must be provided to the director:
    - Two years of experience in the motor vehicle dealer industry with expertise in the areas specified in section (5) of this rule;
    - One year in an appropriate position with a professional organization associated with the automobile dealer business (e.g., Missouri Automobile Dealers Association, Inc. instructor or Missouri Independent Automobile Dealers Association policy writer); or

- One year of experience as an investigator dealing with state and federal motor vehicle dealer compliance laws
- Staff capable of providing information about the seminars and registering prospective attendees;
- An available telephone number, fax line, and Internet access available during normal working hours (Monday through Friday) to enable potential attendees to inquire about and register for seminars;
- Seminar providers must ensure that their seminar instructors:
  - Utilize training materials when conducting the seminar;
  - Incorporate course curriculum into reference/resource manuals to be distributed to attendees and provide periodic updates to ensure current and accurate information applicable to dealer's operations;
  - Provide instruction using computerized slide presentations and provide worksheets/handouts to each attendee, including compliant sample forms required by state and federal law; and
  - Make available to the director, upon request, copies of all training materials (manuals, handouts, presentations, etc.) for review.

The seminar must include:

- A minimum of one scheduled seminar per month, which must be posted on the provider's website at least 30 days in advance. The seminar schedule and locations must be publicized by the provider with registration information and necessary forms obtainable through the provider's website.
  - If a scheduled seminar has no registered attendees and the provider opts to cancel, notification must be posted clearly on the provider's website at least 48 hours prior to the seminar's scheduled start time.
  - If advanced cancellation notice is not posted as indicated above, a certified instructor must be at the seminar's scheduled location at the scheduled time.
- Capability to issue each attendee a certificate of completion at the end of each seminar; and
- An accurate and current electronic database of seminar attendees, maintained by the provider for a minimum of one year. The provider must confirm all seminar attendees' identity through display of a non-expired federal or state-issued photo identification card, with the capability to electronically transmit attendee information to the department as required. These records must be available on demand and are subject to audit by the director without prior notice.
- Dealer educational seminar curriculum must be presented in a room in a non-residential building that is dedicated solely to the seminar for the duration of the seminar and compliant with the Americans with Disabilities Act of 1990, 42 U.S.C. section 12101 et seq., as amended. A seminar provider must certify to the director and, upon request, provide evidence to establish that its instructors have, at a minimum, the experience outlined in one of the following minimum qualification requirements.

## **DISCIPLINARY ACTION**

### **Refusal to Issue or Renew License**

The Department may refuse to issue or renew any license under [Section 301.560](#), RSMo and [12 CSR 10-26.210](#). The director may revoke or refuse to issue or renew a certification of a provider for conducting a seminar not in compliance with this rule, for failing to hold a scheduled seminar, or for any one or any combination of the following causes:

1. The applicant or seminar provider or its seminar instructor was previously the holder of a license issued under [Sections 301.550 to 301.573](#), RSMo, which license was revoked for cause and never reissued by the department, or which license was suspended for cause and the terms of suspension have not been fulfilled;
2. The applicant or seminar provider or its seminar instructor was previously a partner, stockholder, director, or officer controlling or managing a partnership or corporation whose license issued under [Sections 301.550 to 301.573](#), RSMo, was revoked for cause and never reissued or was suspended for cause and the terms of suspension have not been fulfilled;
3. The applicant or seminar provider or its seminar instructor has, within ten years prior to the date of the application, been finally adjudicated and found guilty, or entered a plea of guilty or *nolo contendere*, in a prosecution under the laws of any state or of the United States for any offense reasonably related to the qualifications, functions, or duties of any business licensed under [Sections 301.550 to 301.573](#), RSMo, for any offense, an essential element of which is fraud, dishonesty, or an act of violence; or for any offense involving moral turpitude, whether or not sentence is imposed;
4. Use of fraud, deception, misrepresentation, or bribery by the applicant or seminar provider or its seminar instructor in securing any certificate issued pursuant to [Section 301.560.9](#), RSMo;
5. The applicant's or seminar provider's or its seminar instructor's obtaining or attempting to obtain any money, commission, fee, barter, exchange, or other compensation by fraud, deception, or misrepresentation;
6. The applicant's or seminar provider's or its seminar instructor's violation of, or assisting or enabling any person to violate any provisions of [Chapters 301, 306, 307, 407, 578, and 643](#), RSMo or of any lawful rule or regulation adopted pursuant to [Chapters 301, 306, 307, 407, 578, and 643](#), RSMo;
7. The applicant or seminar provider or its seminar instructor has filed an application for certification which, as of its effective date, was incomplete in any material respect or contained any statement which was, in light of the circumstances under which it was made, false or misleading with respect to any material fact;
8. The applicant or seminar provider or its seminar instructor has failed to pay the proper application or license fee or other fees required pursuant to [Chapter 301](#) or [306](#), RSMo, or fails to establish or maintain a bona fide place of business as required by law;
9. The applicant or seminar provider or its seminar instructor is finally adjudged insane or incompetent by a court of competent jurisdiction;
10. The applicant's or seminar provider's or its seminar instructor's use of any advertisement or solicitation which is false; or
11. The applicant's or seminar provider's or its seminar instructor's violations of [Sections 407.511 to 407.556](#), RSMo or [Section 578.120](#), RSMo which resulted in a conviction or finding of guilt or violation of any federal motor vehicle laws which result in a conviction or finding of guilt.

The decision to revoke or refuse to issue or renew a certification of a provider is the final decision of the director.

Failure to hold scheduled or rescheduled seminars or maintain acceptable standards of training or providing false information to the director will result in the provider's certification becoming invalid upon notice by the director.

Applications for must be sent to the Motor Vehicle Bureau, Dealer Licensing Section, PO Box 43, Jefferson City, Missouri 65105-0043.

## COMPLAINTS/DISCIPLINARY ACTION

### DEALERS

#### **COMPLAINTS**

To file a complaint, a completed Complaint Form ([Form 4683](#)) may be submitted to the Department of Revenue. The following information must be included:

- The complainant's name, address, and telephone number(s) for home and work, if applicable;
- Information regarding the vehicle, trailer, vessel or outboard motor that includes the year, make, model, identification number, date of purchase, mileage information (if applicable), and purchase price;
- Information about the dealer the complaint is against, including name and address of the business, nature of the complaint, whether the complainant has made contact with the owner or manager of the business about the problem, and if so, the outcome, form of relief the complaint is seeking and a list of names of any other agencies contacted in relation to the complaint;
- Whether an attorney has been contacted or a lawsuit filed; and
- Complainant's signature and date the complaint was signed. You may also obtain the *Complaint* form ([Form 4683](#)) on the [Forms and Manuals](#) page of our website.

Submit all complaints to the Motor Vehicle Bureau, Dealer Licensing Section, PO Box 43, Jefferson City, MO 65105-0043, or email [dealerlic@dor.mo.gov](mailto:dealerlic@dor.mo.gov).

The complaints will be logged for Department record and remain confidential except as provided by law.

#### **DISCIPLINARY ACTION**

##### Refusal to Issue or Renew License

The Department may refuse to issue or renew any license under [Sections 301.550 to 301.573](#), RSMo, for one or any combination of causes stated below. The Department shall notify the applicant or licensee in writing, at his or her last known address, of the reasons for refusal to issue or renew the license. The notification will advise the applicant or licensee of the right to file a complaint with the AHC, as provided by [Chapter 621](#), RSMo. Denial of issuance or renewal may occur when the applicant or license holder:

- Was previously the holder of a license issued under [Sections 301.550 to 301.573](#), RSMo, that was revoked for cause and never reissued by the Department, or that was suspended for cause and the terms of suspension have not been fulfilled;
- Was previously a partner, stockholder, director, or officer controlling or managing a partnership or corporation whose license issued under [Sections 301.550 to 301.573](#), RSMo, was revoked for cause and never reissued or was suspended for cause and the terms of suspension have not been fulfilled;

- Has, **within 10 years** prior to the date of the application, been finally adjudicated and found guilty, **or** entered a plea of guilty or nolo contendere, in a prosecution under the laws of any state or of the United States, for any offense reasonably related to the qualifications, functions, or duties of any business licensed under [Sections 301.550 to 301.573](#), RSMo, for any offense, an essential element of which is fraud, dishonesty, or an act of violence, or for any offense involving moral turpitude, **whether or not sentence is imposed**;
- Uses fraud, deception, misrepresentation, or bribery in securing any license issued, under [Sections 301.550 to 301.573](#), RSMo;
- Has obtained or attempted to obtain any money, commission, fee, barter, exchange, or other compensation by fraud, deception, or misrepresentation;
- Violated, assisted, or enabled any person to violate any provisions of [Chapters 301, 306, 307, 407, 578](#), and [643](#), RSMo, or of any lawful rule or regulation adopted pursuant to these chapters;
- Has filed an application for a license which, as of its effective date, was incomplete in any material respect or contained any statement which was, in light of the circumstances under which it was made, false or misleading with respect to any material fact;
- Has failed to pay the proper application or license fee or other fees required pursuant to [Chapters 301 or 306](#), RSMo, or fails to establish or maintain a bona fide place of business;
- Uses or permits the use of any special license or license plate assigned to them for any purpose other than those permitted by law;
- Is finally adjudged insane or incompetent by a court of competent jurisdiction;
- Uses any advertisement or solicitation which is false; or
- Violates [Sections 407.511 to 407.556](#), RSMo, or [Section 578.120](#), RSMo, which results in a conviction or finding of guilt or violation of any federal motor vehicle laws.

Any such complaint shall be filed within one year of the date upon which the Department receives notice of an alleged violation of an applicable statute or regulation. After the filing of such complaint, the proceedings shall be conducted in accordance with the provisions of [Chapter 621](#), RSMo.

Upon a finding by the Administrative Hearing Commission that the grounds, provided in [Sections 301.550 to 301.573](#), RSMo, for disciplinary action are met, the Department may:

- Refuse to issue the applicant a license;
- Issue a private reprimand;
- Place the person on probation on such terms and conditions as the Department deems appropriate for a period of one day to five years;
- Suspend the person's license from one day to six days; or
- Revoke the person's license for such a period as the Department deems appropriate.

Upon the suspension or revocation of any person's license issued under [Sections 301.550 to 301.573](#), RSMo, the Department shall recall any distinctive number plates that were issued to that licensee.

#### Suspension or Revocation of License

The Department may suspend or revoke a dealer license when the Department deems a dealer to be a clear and present danger to the public welfare. A clear and present danger to the public welfare is defined as one the following events:

- The expiration or revocation of any corporate surety bond or irrevocable letter of credit, as required by [Section 301.560](#), RSMo, without submission of a replacement bond or letter of credit which provides coverage for the entire period of licensure;

- The failure to maintain a bona fide established place of business as required by [Section 301.560](#), RSMo;
- Criminal convictions as set forth in [Section 301.562.2\(3\)](#), RSMo; or
- Three or more occurrences of violations, which have been established following proceedings before the Administrative Hearing Commission under [Section 301.526.3](#), RSMo, or which have been established following proceedings before the Director under [Section 301.562.6](#), RSMo, and [Chapters 143, 144, 306, 307, 578, and 643](#) or of any lawful rule or regulation adopted under this chapter and [Chapters 143, 144, 306, 307, 578, and 643](#), not previously set forth therein.

Any license issued under [Sections 301.550 to 301.580](#), RSMo, will be suspended or revoked, following an evidentiary hearing before the Director or his or her designated hearing officer. For any license which the Department believes may be subject to suspension or revocation, the Director shall immediately issue a notice of hearing to the licensee of record. The Director's notice of hearing:

- Shall be served upon the licensee personally or by first class mail to the dealer's last known address, as registered with the Director;
- Shall be based on affidavits or sworn testimony presented to the Director, and shall notify the licensee that such information presented therein constitutes cause to suspend or revoke the licensee's license;
- Shall provide the licensee with a minimum of ten days' notice prior to hearing;
- Shall specify the events or acts which may provide cause for suspension or revocation of the license, and shall include with the notice a copy of all affidavits, sworn testimony or other information presented to the Director which support discipline of the license; and
- Shall inform the licensee that he or she has the right to attend the hearing and present any evidence in his or her defense, including evidence to show that the event or act which may result in suspension or revocation has been corrected to the Director's satisfaction, and that he or she may be represented by counsel at the hearing.

At any hearing before the Director, the Director or his or her designated hearing officer shall consider all evidence relevant to the issue of whether the license should be suspended or revoked due to the occurrence of any of the acts set forth in [Section 301.562.5](#), RSMo. Within 20 business days after such hearing, the Director or his or her designated hearing officer shall issue a written order, with findings of fact and conclusions of law, which either grants or denies the issuance of an order of suspension or revocation. The suspension or revocation shall be effective ten days after the date of the order. The written order of the Director or his or her hearing officer shall be the final decision of the Director and shall be subject to judicial review under the provisions of [Chapter 536](#), RSMo. Notwithstanding the provisions of [Chapters 301, 610, or 621](#), to the contrary, the proceedings under [Chapter 301](#) shall be closed and no order shall be made public until it is final, for purposes of appeal.

#### Seizure of Dealer License and Dealer License Plates

Law enforcement officers and agents of the Department, upon probable cause of misuse, are authorized to seize dealer license plates or certificates of number. Additionally, law enforcement officers and agents of the Department are authorized to seize a dealer's license and license plates or certificates of number upon refusal to surrender such license, plates or certificates of number when a license has been suspended or revoked.

## **DEPARTMENT SUBPOENAS**

The Department or designated representative may issue process, subpoena witnesses, administer oaths, examine books and papers, and require production thereof, and cause the deposition of any witness to be taken and the costs thereof paid as other costs under [Sections 301.550 to 301.573](#), RSMo. Any party may process to compel the attendance of witnesses and production of books and papers, and at his or her own cost to take and use depositions in like manner as in civil cases in circuit court.

The subpoena will extend to all parts of the state, and may be served as in civil actions in the circuit court, but the costs of the service will be as in other civil actions. Each witness will receive fees and mileage prescribed by law in civil cases, but the same shall not be allowed as costs to the party in whose behalf the witness was summoned unless the person who conducts the hearing certifies that testimony of the witness is necessary. All costs under this section shall be approved by the Department and paid out of the Missouri Motor Vehicle Commission Fund established in [Section 301.560](#), RSMo, except that if the Department determines that any proceedings are brought, prosecuted, or defended without reasonable ground, it may assess the whole cost of the proceedings upon the party who brought, prosecuted, or defended the proceedings.

If any person subpoenaed to appear at any hearing or proceeding fails to obey command of such subpoena without reasonable cause or if any person attending a hearing or proceeding will, without reasonable cause, refuse to be sworn or to be examined or to answer a question or to produce a book or paper or to subscribe or swear to his deposition, such person is guilty of a class B misdemeanor and on conviction, may be punished by a fine of not more than \$500, or by imprisonment, and in the case of a continuing violation, each day's continuance following will be a separate and distinct offense.

## **CRIMINAL PROVISIONS**

It is unlawful for a person, partnership, corporation, company or association which is required to obtain a dealer's license to operate without such license under [Section 301.570](#), RSMo.

Any person, partnership, corporation, company or association who is found guilty of a first offense for violating this provision is guilty of a class A misdemeanor. A second or subsequent conviction shall be a class E felony.

## **SALVAGE BUSINESS**

### **DISCIPLINARY ACTION**

#### Denial of License

An applicant's license may be denied for:

- Failure to comply with [Section 301.221](#), RSMo, which requires that all owners, partners, or principal officers listed on the salvage business license application be of good moral character.
- Failure to comply with [Sections 301.217 to 301.229](#), RSMo and the laws of this state relating to the registration and titling of vehicles.

## Suspension or Revocation of License

[Section 301.229](#), RSMo states that anyone who violates any provision of [Sections 301.217 to 301.229](#), RSMo is guilty of a class A misdemeanor and, upon conviction, shall be punished as provided by law. Violations include but are not limited to:

- Failure to maintain a bona fide established place of business.
- Salvage licensee does not maintain reasonable business hours where the public may contact him or her at the business address.
- Salvage licensee does not possess a permanently enclosed building or structure actually occupied as a place of business by the licensee. ([Section 301.221](#), RSMo)
- Salvage licensee does not maintain a complete set of books, records, and files on motor vehicles/motor vehicle parts acquired for resale. They must be kept in the business office, at the registered location and be available during reasonable business hours for the inspection by appropriate law enforcement officials. ([Section 301.225](#), RSMo)
- Salvage licensee cannot be reasonably contacted by the public as shown by returned mail that was addressed to the registered location. This would appear to indicate the licensee is not operating at the registered location. ([Section 301.221](#), RSMo)
- Being in possession of open title(s). ([Section 301.210](#), RSMo)
- Failing to obtain a salvage title within ten days on motor vehicles purchased during a year that is no more than six years after the manufacturer's model year designation. ([Section 301.227](#), RSMo)
- Failing to have proof of ownership, proof that a dealer has applied for title, or that a prior lien has been satisfied by the dealer on all motor vehicles in the salvage licensee's possession. ([Section 301.200](#), RSMo)
- Being in possession of motor vehicles/motor vehicle parts, which had the original manufacturer's number(s) removed/ missing. ([Section 301.390](#), RSMo)
- Failing to surrender to the director of revenue the certificates of title on motor vehicles that have been destroyed/sold for destruction. ([Sections 301.210 and 301.227](#), RSMo)
- Failure to comply with all owners of the business listed on the application to be of good moral character. ([Section 301.221](#), RSMo)
- Failure to display the salvage business certificate of registration at the place of business. ([Section 301.223](#), RSMo)

## MISCELLANEOUS INFORMATION

### TEMPORARY PERMITS

#### **GENERAL PERMIT INFORMATION**

- Temporary permit is valid for 30 or 60 days;
- Dealer may not charge more than \$5 for each permit sold;
- Permit is no longer valid upon issuance of a proper registration;
- Dealer may not distribute permits to other dealers;
- Permit is non-renewable or transferable;
- Dealer may only issue one permit per applicant; and
- Each permit issued must be recorded on the dealer sales report or electronic notice of sale.

#### **OBTAINING TEMPORARY PERMITS**

Licensed motor vehicle dealers must go online at [dor.mo.gov](http://dor.mo.gov) and complete the *Application for Online Dealer's Temporary Registration Permit Processing (Form 5459)*. Once the form is received, the Department will process the information and a confirmation email will be sent to the email address provided on the form, stating you have been registered to process temporary registration permits.

Licensed motor vehicle dealers must purchase temporary permit stock from the authorized producer.

To order permits, visit <http://custompoint.rrd.com/dor>.

#### **REQUIREMENTS FOR ISSUING A 30-DAY PERMIT:**

- Must be a licensed dealer;
- Vehicle must be sold by the dealership at the dealer's licensed place of business; and
- Buyer must provide proof of insurance in order to purchase permit from dealer.

#### **REQUIREMENTS FOR ISSUING A 60-DAY PERMIT – APPLIES ONLY TO VEHICLES SOLD WITHOUT A MISSOURI TITLE PURSUANT TO SECTION 301.210, RSMo, (EFFECTIVE AUG. 28, 2020)**

In addition to the requirements for issuing 30-day permits, a licensed motor vehicle dealer may sell a motor vehicle without a title and issue a 60-day temporary permit to the purchaser when the dealer:

- Has filed a \$100,000 surety bond or irrevocable letter of credit with the Department of Revenue;
- *The Temporary Registration Permit Application (TRPA) system will determine if the proper bond/letter of credit requirement has been met prior to allowing a licensed motor vehicle dealer to issue a 60-day permit;*
- Has completed an *Agreement for Delayed Delivery of Certificate of Ownership (Form 5830)* with the vehicle purchaser; and
- Has provided the purchaser with a copy of the completed *Agreement for Delayed Delivery of Certificate of Ownership (Form 5830)*.

For an applicant to purchase a temporary permit from the selling dealer, the following must be submitted:

- Motor vehicle safety inspection (not more than 60 days old or not more than 90 days old if the seller was a Missouri dealer and the safety inspection provided by the Missouri dealer was completed within 60 days prior to the purchase date), unless exempt for the following reasons:
  - The motor vehicle is less than 11 years old and the mileage is less than 150,000 miles is not required (dealer is not required to provide a safety inspection at the time of sale for a motor vehicle sold on a Manufacturer's Statement of Origin);
  - The buyer is a resident of a state other than Missouri; or
  - The buyer is obtaining a temporary permit for a trailer.
- A current and legible insurance identification card (may be an original, copy, or electronic version, or other proof of financial responsibility); and
  - This requirement does not apply for a trailer.
- Payment of the \$5 permit fee.

### **RESPONSIBILITY OF THE DEALER**

The dealer may sell ONLY one permit to a buyer of a vehicle for which no license plates are available for transfer. The dealer must complete the required fields on the temporary permit registration application.

These records will be kept for inspection by the appropriate officers as defined in [Section 301.564](#), RSMo, dealer must also record the number of temporary permits issued in the appropriate column on dealer's monthly sales report, except for temporary permits issued for courtesy delivery vehicles. If the permit is issued pursuant to a courtesy delivery arrangement, the dealer issuing the permit must record "COURTESY DELIVERY" and report the permits to the Department on the Dealer's Monthly Sales Report ([Form 385](#)).

### **RESPONSIBILITY OF THE BUYER**

Temporary permits must be affixed to the rear of vehicle where a standard license plate is displayed. They are not valid upon the issuance of proper registration plates for the motor vehicle or trailer. The purchaser must sign the permit in ink. Keep the top portion of the permit (receipt) in the vehicle.

### **FEDERAL TRADE COMMISSION USED CAR RULE**

The used car rule requires that you must post a window sticker called the Buyer's Guide on all used vehicles you offer for sale. You can obtain the Buyer's Guides and all necessary information by calling 877-382-4357 or writing to the Federal Trade Commission, 6<sup>th</sup> and Pennsylvania Avenue, North West, Washington, DC 20580 or by visiting <https://www.ftc.gov/tips-advice/business-center/guidance/buyers-guide-fillable-form>.

### **LEMON LAW REFUNDS**

[Section 407.567](#), RSMo, allows manufacturers to apply for a refund of tax, license fees, registration fees, and title fees on vehicles returned under the lemon law provided they have reimbursed the consumer for these fees. The manufacturer may, in lieu of applying for the refund, authorize the consumer to apply for the refund. In this case, the manufacturer must provide the customer with a statement from the manufacturer stating the vehicle was a buy-back under the lemon law and that no refund of tax and fees has been made to the consumer.

## **SALES TO MINORS**

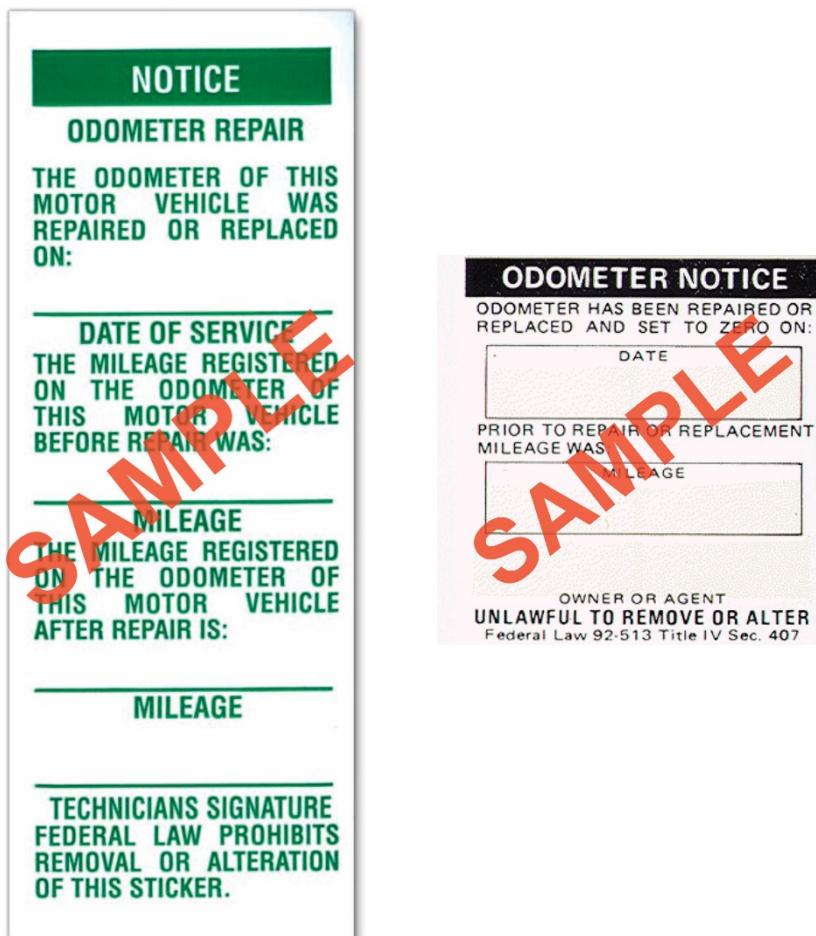
The legal age at which a person becomes competent to enter into a contract in Missouri is 18 years old. Although an individual purchasing a vehicle does not have to be 18 years old to own a vehicle, a contract to purchase a vehicle signed by anyone younger than 18 years old is invalid and may be voided. A minor may release themselves from the sales contract, return the vehicle, and recover the vehicle purchase price paid, even though the vehicle has been used and deteriorated in value.

## **ODOMETER REPAIR OR REPLACEMENT**

Nothing in [Sections 407.511 to 407.556 RSMo](#), shall prevent the service, repair, or replacement of an odometer, provided the mileage indicated thereon remains the same as before the service, repair, or replacement occurred.

When a repaired or replaced odometer is incapable of registering the same mileage as before the service, repair, or replacement, the odometer shall be adjusted to read zero and a notice in writing shall be attached to the left door frame of the vehicle by the owner or his agent, specifying the mileage prior to repair or replacement of the odometer and the date on which it was repaired or replaced.

Such decals are available from various online retailers.



Removal or alteration of the notice required by subsection 2 of this section is an infraction.

## CODE OF STATE REGULATIONS

[12 CSR 10-23.160](#) Good Moral Character of Motor Vehicle Dealer, Manufacturers, Boat Dealers, Salvage Dealers, and Title Service

[12 CSR 10-23.424](#) Leasing Company Registration

[12 CSR 10-23.465](#) Issuance of Biennial Salvage Business Licenses

[12 CSR 10-26.010](#) Bona Fide Established Place of Business

[12 CSR 10-26.020](#) License Requirements for Auctions, Dealers, Franchisors, and Manufacturers

[12 CSR 10-26.030](#) License Renewal

[12-CSR 10-26.040](#) Fees

[12 CSR 10-26.050](#) Business Records Required to be Maintained by Licensees

[12 CSR 10-26.060](#) Dealer License Plates and Certificates of Number

[12 CSR 10-26.070](#) Procedural Requirements for Wholesale Motor Vehicle Auctions

[12 CSR 10-26.080](#) Procedural Requirements for Public Motor Vehicle Auctions

[12 CSR 10-26.090](#) Regulations of Off-Premises Shows and Tent Sales

[12 CSR 10-26.110](#) Antique Motor Vehicle

[12 CSR 10-26.120](#) Procedures for Filing Complaints with the Director of Revenue

[12 CSR 10-26.180](#) Temporary Permits Sold by a Registered Missouri Motor Vehicle Dealer

[12 CSR 10-26.190](#) Dealers' Monthly Reports

[12 CSR 10-26.200](#) Out-of-State Dealer Request to Participate in Missouri Recreational Vehicle Show or Exhibit

## EXHIBIT A

Bond number: \_\_\_\_\_

KNOW ALL PERSONS BY THESE PRESENT, that I/we \_\_\_\_\_  
(Dealership Name)  
as Principal, and \_\_\_\_\_, a corporation organized and  
(Bonding Company)  
existing under the laws of the State of \_\_\_\_\_, and having its principal  
place of business at \_\_\_\_\_, as Surety, are held and firmly  
bound unto the State of Missouri, for the benefit of all aggrieved parties in the penal sum of Fifty Thousand  
Dollars (\$50,000.00) per license year for the payment of which, well and truly to be made, we bind ourselves,  
firmly by these presents.

WHEREAS the Principal has applied for the issuance of a Motor Vehicle and/or Boat Dealer's license and  
presents this bond in accordance with Missouri statute(s).

NOW, THEREFORE, if during the period(s) covered by this bond, the aforesaid Principal shall faithfully comply  
with the provisions of Missouri statutes applicable to new motor vehicle franchised dealers, used motor vehicle  
dealers, powersport dealers, trailer dealers, wholesale motor vehicle dealers, and boat dealers, and shall  
indemnify for any loss sustained by reason of the acts of Principal when such acts constitute grounds for  
suspension or revocation of the Principal's license, this obligation shall be null and void. Otherwise this  
obligation shall remain in full force and effect subject to the following conditions:

The proceeds of this bond shall be paid upon receipt by the Missouri Department of Revenue of a final  
judgment from a Missouri court of competent jurisdiction against the Principal and in favor of an aggrieved  
party.

The aggregate liability of the Surety to all persons shall, in no event, exceed the amount of this bond during  
any one license year.

The bond shall be effective \_\_\_\_\_, and shall expire \_\_\_\_\_.  
(Bond can be listed as "non-expiring" or must list an expiration date through the end of the calendar year.)  
This bond may be canceled by the Surety giving written notice to the Principal and Missouri Department of  
Revenue, stating the date of cancellation, which in no event shall be less than thirty (30) days after receipt of  
said notice by the Director of Revenue; however, the Surety shall remain liable for any and all acts of the  
Principal covered by this bond up to the date of cancellation.

Dated this \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_.

PRINCIPAL'S SIGNATURE

WITNESS

\_\_\_\_\_  
Signature of Principal/Dealer (Seal)

\_\_\_\_\_  
Signature of Witness

\_\_\_\_\_  
Title

SURETY'S SIGNATURE

WITNESS

\_\_\_\_\_  
Signature of Surety (Seal)

\_\_\_\_\_  
Signature of Witness

\_\_\_\_\_  
Title

## **EXHIBIT B**

TO: MOTOR VEHICLE BUREAU  
DEALER LICENSING SECTION  
POST OFFICE BOX 43  
JEFFERSON CITY, MO 65105-0043

LETTER OF CREDIT NUMBER: \_\_\_\_\_

EFFECTIVE DATE: \_\_\_\_\_  
(Month, Day, Year)

EXPIRATION DATE: \_\_\_\_\_  
(Month, Day, Year)

OR CANCELLED AS PROVIDED HEREIN

On behalf of \_\_\_\_\_  
(Dealership Name as Listed On Dealer Application)

located at \_\_\_\_\_  
(Street) (City) (State) (Zip)

I/we hereby issue our irrevocable letter of credit, in favor of the Missouri Department of Revenue in the penal sum of fifty thousand dollars (\$50,000.00) available by your draft at sight.

Drafts under this irrevocable letter of credit must be accompanied by a final judgment received by the Missouri Department of Revenue and issued by a Missouri court of competent jurisdiction against the dealer and in favor of an aggrieved party.

WHEREAS, the dealer applicant has applied for the issuance of motor vehicle and/or boat dealer's license and presents this irrevocable letter of credit in accordance with the statute.

NOW, THEREFORE, this letter of credit shall be conditioned upon dealer's faithful compliance with the provisions of the statutes applicable to new motor vehicle franchised dealers, used motor vehicle dealers, powersport dealers, trailer dealers, wholesale motor vehicle dealers, and boat dealers, and this letter of credit shall be an indemnity for any loss sustained by any person by reason of the acts of the dealer when such acts constitute grounds for the suspension or revocation of the dealer's license.

The aggregate liability of the issuing financial institution during any one license year, shall in no event, exceed the amount of this irrevocable letter of credit.

THIS OBLIGATION SHALL BE DEEMED AUTOMATICALLY RENEWED ON AN ANNUAL BASIS. THE ISSUING FINANCIAL INSTITUTION MAY CANCEL THE LETTER OF CREDIT AND BE RELEASED FROM FUTURE LIABILITY HEREUNDER BY DELIVERING THIRTY (30) DAYS PRIOR, WRITTEN NOTICE TO THE MISSOURI DEPARTMENT OF REVENUE AT THE ADDRESS SHOWN ABOVE. CANCELLATION SHALL NOT AFFECT ANY LIABILITY INCURRED AND ACCRUED HEREUNDER PRIOR TO THE TERMINATION OF THE THIRTY (30) DAY PERIOD.

## **EXHIBIT B (CONTINUED)**

FURTHER, THIS LETTER OF CREDIT WILL REMAIN IN FULL FORCE AND IN EFFECT FOR FIVE YEARS AFTER SUCH CANCELLATION FOR ANY LIABILITY INCURRED DUE TO ACTS OF THE DEALER WHICH OCCURRED PRIOR TO THE EFFECTIVE DATE OF SAID CANCELLATION.

We hereby assure the Missouri Department of Revenue that drafts drawn in conformity with the terms of this letter of credit will be duly honored on presentation.

This letter of credit is issued subject to Article 5 of the Uniform Commercial Code.

In witness thereof, we have duly executed the foregoing this

\_\_\_\_ Day of \_\_\_\_\_, \_\_\_\_\_.

Name of issuing Financial Institution: \_\_\_\_\_

Authorized Official for Financial Institution: \_\_\_\_\_  
(SIGNATURE)

(\_\_\_\_)  
(PHONE NUMBER) \_\_\_\_\_ (TITLE)

Address of Financial Institution: \_\_\_\_\_  
(STREET)

\_\_\_\_\_ (CITY) \_\_\_\_\_ (STATE) \_\_\_\_\_ (ZIP)

Witness to Issuer's Signature: \_\_\_\_\_

Signature of Dealer: \_\_\_\_\_

Witness to Dealer Signature: \_\_\_\_\_

## **EXHIBIT C**

### **SAMPLE FRANCHISE AGREEMENT CONFIRMATION**

Mail to: Motor Vehicle Bureau  
Dealer Licensing Section  
Post Office Box 43  
Jefferson City, MO 65105-0043

---

(Franchisor's name and address)

authorizes \_\_\_\_\_ to sell the following:  
(Dealership's name)

(list any make(s) and or model(s) of vehicles)

The franchise agreement shall be effective \_\_\_\_\_, 20\_\_\_\_, and shall expire  
\_\_\_\_\_, 20\_\_\_\_. (Franchise agreement can be listed as "non-expiring" or must list an expiration date.)

The franchise agreement may be canceled by an authorized representative of the franchisor giving written notice stating the date of cancellation, to the Dealer Licensing Section, Missouri Department of Revenue, at least thirty (30) days prior to cancellation of the franchise agreement.

Authorized Franchised Dealer:

---

(Name)

Dealer number: \_\_\_\_\_

---

(Agent/owner of dealership)

---

(Address)

---

(City, State, and Zip code)

Dated this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

Agent of Franchisor/Manufacturer: \_\_\_\_\_  
(Sign and date)

## **EXHIBIT D**

Bond number: \_\_\_\_\_

KNOW ALL PERSONS BY THESE PRESENT, that I/we \_\_\_\_\_ (Motor Vehicle or Marine Craft Leasing Company Name) as Principal, and \_\_\_\_\_, a corporation organized and (Bonding Company) existing under the laws of the State of \_\_\_\_\_, and having its principal

place of business at \_\_\_\_\_, as Surety, are held and firmly bound unto the State of Missouri, for the benefit of all aggrieved parties in the penal sum of One Hundred Thousand Dollars (\$100,000.00) per license year for the payment of which, well and truly to be made, we bind ourselves, firmly by these presents.

WHEREAS the Principal has applied for the issuance of a Motor Vehicle or Marine Craft Leasing Company license and presents this bond in accordance with Missouri statute(s).

NOW, THEREFORE, if during the period(s) covered by this bond, the aforesaid Principal shall faithfully comply with the provisions of Missouri statutes applicable to a Motor Vehicle or Marine Craft Leasing Company, and shall indemnify for any loss sustained by reason of the acts of Principal when such acts constitute grounds for suspension or revocation of the Principal's license. This obligation shall remain in full force and effect subject to the following conditions:

The proceeds of this bond shall be paid upon receipt by the Missouri Department of Revenue of a final judgment from a Missouri court of competent jurisdiction against the Principal and in favor of an aggrieved party.

The aggregate liability of the Surety to all persons shall, in no event, exceed the amount of this bond during any one license year.

The bond shall be effective \_\_\_\_\_, and shall expire \_\_\_\_\_. (Bond can be listed as "non-expiring" or must list an expiration date through the end of the calendar year.)

This bond may be canceled by the Surety giving written notice to the Principal and Missouri Department of Revenue, stating the date of cancellation, which in no event shall be less than thirty (30) days after receipt of said notice by the Director of Revenue; however, the Surety shall remain liable for any and all acts of the Principal covered by this bond up to the date of cancellation.

Dated this \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_.

PRINCIPAL'S SIGNATURE

WITNESS

\_\_\_\_\_  
Signature of Principal (Seal)

\_\_\_\_\_  
Signature of Witness

Title

SURETY'S SIGNATURE

WITNESS

\_\_\_\_\_  
Signature of Surety (Seal)

\_\_\_\_\_  
Signature of Witness

Title

## **EXHIBIT E**

TO: MOTOR VEHICLE BUREAU  
DEALER LICENSING SECTION  
POST OFFICE BOX 43  
JEFFERSON CITY, MO 65105-0043

LETTER OF CREDIT NUMBER: \_\_\_\_\_

EFFECTIVE DATE: \_\_\_\_\_  
(Month, Day, Year)

EXPIRATION DATE: \_\_\_\_\_  
(Month, Day, Year)

OR CANCELLED AS PROVIDED HEREIN

On behalf of \_\_\_\_\_  
(Motor Vehicle or Marine Craft Leasing Company name)

located at \_\_\_\_\_  
(Street) (City) (State) (Zip)

I/we hereby issue our irrevocable letter of credit, in favor of the Missouri Department of Revenue in the penal sum of one hundred thousand dollars (\$100,000.00) available by your draft at sight.

Drafts under this irrevocable letter of credit must be accompanied by a final judgment received by the Missouri Department of Revenue and issued by a Missouri court of competent jurisdiction against the dealer and in favor of an aggrieved party.

WHEREAS, the dealer applicant has applied for the issuance of Motor Vehicle or Marine Craft Leasing Company and presents this irrevocable letter of credit in accordance with the statute.

NOW, THEREFORE, this letter of credit shall be conditioned upon companies faithful compliance with the provisions of the statutes applicable to Motor Vehicle or Marine Craft Leasing Company, and this letter of credit shall be an indemnity for any loss sustained by any person by reason of the acts of the company when such acts constitute grounds for the suspension or revocation of the business license.

The aggregate liability of the issuing financial institution during any one license year, shall in no event, exceed the amount of this irrevocable letter of credit.

THIS OBLIGATION SHALL BE DEEMED AUTOMATICALLY RENEWED ON AN ANNUAL BASIS. THE ISSUING FINANCIAL INSTITUTION MAY CANCEL THE LETTER OF CREDIT AND BE RELEASED FROM FUTURE LIABILITY HEREUNDER BY DELIVERING THIRTY (30) DAYS PRIOR, WRITTEN NOTICE TO THE MISSOURI DEPARTMENT OF REVENUE AT THE ADDRESS SHOWN ABOVE. CANCELLATION SHALL NOT AFFECT ANY LIABILITY INCURRED AND ACCRUED HEREUNDER PRIOR TO THE TERMINATION OF THE THIRTY (30) DAY PERIOD.

## **EXHIBIT E (CONTINUED)**

FURTHER, THIS LETTER OF CREDIT WILL REMAIN IN FULL FORCE AND IN EFFECT FOR FIVE YEARS AFTER SUCH CANCELLATION FOR ANY LIABILITY INCURRED DUE TO ACTS OF THE LEASING COMPANY WHICH OCCURRED PRIOR TO THE EFFECTIVE DATE OF SAID CANCELLATION.

We hereby assure the Missouri Department of Revenue that drafts drawn in conformity with the terms of this letter of credit will be duly honored on presentation.

This letter of credit is issued subject to Article 5 of the Uniform Commercial Code.

In witness thereof, we have duly executed the foregoing this

\_\_\_\_\_ Day of \_\_\_\_\_, \_\_\_\_\_.

Name of issuing Financial Institution: \_\_\_\_\_

Authorized Official for Financial Institution: \_\_\_\_\_  
(SIGNATURE)

(\_\_\_\_\_  
(PHONE NUMBER) \_\_\_\_\_  
(TITLE)

Address of Financial Institution: \_\_\_\_\_  
(STREET)

\_\_\_\_\_  
(CITY) (STATE) (ZIP)

Witness to Issuer's Signature: \_\_\_\_\_

Signature of Leasing Company Agent: \_\_\_\_\_

Witness to Leasing Company Agent Signature: \_\_\_\_\_